

The Gazette of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 26th June, 1962:—

Issue No.	No. and Date	Issued by	Subject
229	S.O. 1896, dated 19th June, 1962.	Cabinet Secretariat	Amendments in the Government of India (Allocation of Business) Rules, 1961.
230	S.O. 1950, dated 20th June, 1962.	Ministry of Home Affairs	Nomination of Dr. Pundalik D. Gaitonde and Dr. An onio Colaco to fill the two seats in the House of the People allotted to the Union territory of Goa, Daman and Diu.
231	S.O. 1951, dated 20th June, 1962.	Ministry of Law	Declaration that Shri A Thanglura of Thankthing Veng has been duly elected.
232	S.O. 1952, dated 21st June, 1962.	Do.	Declaration that Shri Burugula-Ramakrishna Rao, Hyderabad has been duly elected.
233	S.O. 1953, dated 23rd June, 1962.	Ministry of Information & Broadcasting	Approval of film specified therein.
234	S.O. 1954, dated 25th June, 1962.	Ministry of Education.	The Hindi Sahitya Sammelan Act, 1962 (13 of 1962) shall come into force w.e.f. 28th day of June, 1962
235	S.O. 1955 and 1956 dated 25th June, 1962.	Do.	In the matter of the Charitable Endowments Act, 1890, and in the matter of the National Foundation for Teachers' Welfare, New Delhi.
236	S.O. 1957, dated 25th June, 1962.	Ministry of Home Affairs.	Appointment of a commission of Inquiry to enquire into the police firing at Benix Bay, Port Blair.
237	S.C. 1958, dated 26th June, 1962.	Do.	Application of sub-sections (2), (4) and (5) of the Commission of Inquiry Act, 1952 (60 of 1952).

Copies of the Gazettes Extraordinary mentioned above, will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of these Gazettes.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION INDIA

New Delhi, the 15th June, 1962

S.O. 2033.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge any account* of his election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of said decision.

SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Munshi Lal, Bapa Nagar, House No. VXI/1222, Block 'E' Delhi-5.	8. Sawai Madhopur

[No. RJ-P/8/62(9).]

S.O. 2034.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub rule (4) of the said rule, *failed to lodge his account of election expenses within the time* required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name and address of contesting candidate	Serial No. and name of constituency
1	2
Shri Ram Dayal, Mohalla Regran, Ward No. 9, Sawai Madhopur, Rajasthan.	8. Sawai Madhopur

[No. RJ-P/8/62(10).]

New Delhi, the 16th June 1962

S.O. 2035.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in the corresponding entries in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge any accounts* of their election expenses and will accordingly become subject to the disqualification under clause

(c) of section 7 of the Representation of the People Act, 1951 on the expiration of two months from the date of the said decision.

SCHEDULE

Names and addresses of contesting candidates	Serial No. and name of constituency
1	2
Shri Kheema Khan, Village Barlawas, P.O. Siana, Tehsil Jalore, Rajasthan.	17- Jalore
Shri Bhem Chand, Bhem Chand Poonma, P.O. Mandar, Via Abu Road, Rajasthan.	17- Jalore

[No. RJ-P/17/62(11).]

S.O. 2036.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge the accounts of election expenses within the time required by law* and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Names and addresses of contesting candidates	Serial No. and name of constituency
1	2
Shri Narpat Singh, Village Sarana, P.O. Ahore, Rajasthan.	17- Jalore
Shri Babu Lal, Village Mandwaria, P.O. Mandwaria, District Sirohi, Rajasthan.	17- Jalore

[No. RJ-P/17/62(12).]

S.O. 2037.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge the accounts of election expenses within the time required by law* and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Names and addresses of contesting candidates	Serial No. and name of constituency
1	2
1. Shri Bundi Ram Pasi, Village Sherpur Sambay, Tola Warsaliganj, P.O. Warsaliganj, District Gaya.	42—Nawada.
2. Shri Naurangi Mushar, Village Chandi Noawan, P.O. Bhatha, District Gaya.	42—Nawada.

[No. BR-P/42/62(30).]

S.O. 2038.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the names of the persons shown in column 1 of the Schedule below who having been contesting candidates for election to the House of the People from the constituency specified in the corresponding entry in column 2 thereof, at the election held in 1962 have, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge any account* of their election expenses and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Names and addresses of contesting candidates	Serial No. and name of constituency
1	2
1. Shri Akloo Manjhi, Village Oraina, P.O. Orhanpur, District Gaya.	42—Nawada.
2. Shri Barho Rajwar, Village Pakri, P.O. Seotar, District Gaya.	42—Nawada.

[No. BR-P/42/62(31).]

New Delhi, the 20th June, 1962.

S.O. 2039.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge his accounts of election expenses* within the time and in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name of contesting candidate	Name of constituency
1	2
Shri Narsingh, Udaji Ki Paiga, LASHKAR (Madhya Pradesh).	GWALIOR

[No. MP-P/2/62(12).]

New Delhi, the 22nd June 1962

S.O. 2040.—In pursuance of sub-rule (5) of rule 89 of the Conduct of Elections Rules, 1961, the Election Commission hereby notifies the name of the person shown in column 1 of the Schedule below who having been a contesting candidate for election to the House of the People from the constituency specified in column 2 thereof, at the election held in 1962 has, in accordance with the decision given today by the Election Commission under sub-rule (4) of the said rule, *failed to lodge his account of election expenses* in the manner required by law and will accordingly become subject to the disqualification under clause (c) of section 7 of

the Representation of the People Act, 1951, on the expiration of two months from the date of the said decision.

SCHEDULE

Name and address of contesting Candidate	Serial No. and name of constituency
1	2
Shri Vibakananda Biswas, 25/H/3, Bclaghata Main Road, Calcutta-10.	10. Barasat.

[No. WB-P/10/62(5)/51331.]

S.O. 2041.—It is hereby notified for general information that the disqualification under clause (c) of section 7, of the Representation of the People Act, 1951, incurred by the person whose name and address are given below, as notified under notification No. MP-LA/13/62(1), dated the 10th April, 1962, has been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section of the said Act:—

Shri Satyanarayan Kemriwal, Ramsagarpara Ward, Raipur.

[No. MP-P/13/62(1).]

New Delhi, the 28th June 1962

S.O. 2042.—Whereas the election of Shrimati Gayatri Devi as a member of the House of the People from the Jaipur constituency of that House, has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Sardar Mal, s/o Shri Jorawar Mal, Dhanddhon-ka-Bagh, Moti Dungari Road, Jaipur City;

And whereas the Election Commission has caused a copy of the petition to be published in the Official Gazette and has served a copy thereof by post on the respondent under sub-section (1) of section 86 of the Representation of the People Act, 1951 (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Kameshwar Dayal, Retired Judge, Patna High Court, Patna-3, as the member of the Election Tribunal for the trial of the said petition and Jaipur as the place where the trial of the petition shall be held.

[No. 82/324/62.]

New Delhi, the 29th June, 1962

S.O. 2043.—Whereas the election of Shri Sudhir Kumar Ghosh, as a member of the Council of States by the elected members of the Legislative Assembly of the State of West Bengal, has been called in question by an election petition duly presented by Shri A. L. Chopra, son of Late R. R. Chopra residing at 95, Hazra Road, Calcutta;

And whereas by its notification No. 82/15/60, dated the 31st May, 1960, the Election Commission appointed Shri Sital Prosad Chatterji, Judge, City Civil and Sessions Court, Calcutta, to be the member of the Election Tribunal constituted for the trial of the said petition;

And, whereas, the said Shri Sital Prosad Chatterji, has since ceased to be the Judge, City Civil and Sessions Court, Calcutta, by reason of his retirement from service, and a vacancy has accordingly occurred in the office of the member of the Tribunal;

Now, therefore, the Election Commission in exercise of the powers conferred by sub-section (4) of section 86, of the Representation of the People Act, 1951, hereby appoints Shri Anil Kumar Sen, Judge, City Civil and Sessions Court, Calcutta to fill the said vacancy.

[No. 82/15/60.]

By Order,

K. K. SETHI, Under Secy.

New Delhi, the 28th June 1962

S.O. 2044.—Whereas the election of Shri Lehari Singh as a member of the House of the People from the Rohtak constituency of that House, has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Randhir Singh, son of Shri Chandgi Ram, Advocate, Sonapat;

And whereas the Election Commission has caused a copy of the petition to be published in the Official Gazette and has served a copy thereof by post on each of the respondents under sub-section (1) of section 86 of the Representation of the People Act, 1951 (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri S. N. Sahai, Retired Judge of the High Court of Allahabad as the member of the Election Tribunal for the trial of the said petition and Chandigarh as the place where the trial of the petition shall be held.

[No. 82/233/62.]

New Delhi, the 29th June, 1962

S.O. 2045.—Whereas the election of Shri Hukam Singh, as a member of the House of the People from the Patiala constituency of that House has been called in question by an election petition presented under Part VI, of the Representation of the People Act, 1951, (43 of 1951) by Shri Gurdial Singh Dhillon, s/o S. Hazura Singh Dhillon, Patiala;

And whereas the Election Commission has caused a copy of the petition to be published in the official gazette and has served a copy thereof by post on the respondent under sub-section (1) of section 86, of the Representation of the People Act, 1951, (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Balram Upadhyia, a Retired Judge of the High Court of Allahabad as the member of the Election Tribunal for the trial of the said petition and Chandigarh, as the place where the trial of the petition shall be held.

[No. 82/248/62.]

New Delhi, the 30th June 1962

S.O. 2046.—Whereas the election of S/Shri Anup Singh, Chaman Lal & Surjit Singh as members of the Council of States by the elected members of the Punjab Legislative Assembly has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Lachman Singh, 12-13/C, Rajauri Gardens, New Delhi;

And whereas the Election Commission has caused a copy of the petition to be published in the official gazette and has served a copy thereof by post on each of the respondents under sub-section (1) of section 86 of the Representation of the People Act, 1951 (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Balram Upadhyia, retired Judge of the High Court of Allahabad as the member of the Election Tribunal for the trial of the said petition and Chandigarh, as the place where the trial of the petition shall be held.

[No. 82/345/62.]

S.O. 2047.—Whereas the election of S/Shri Anup Singh, Chaman Lal & Surjit Singh as members of the Council of States by the elected members of the Punjab Legislative Assembly has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Abdul Ghanil, S/o Shri Jiwan, Village & Post Office Ghasera, Tehsil Nuh, District Gurgaon;

And whereas the Election Commission has caused a copy of the petition to be published in the official gazette and has served a copy thereof by post on each of the respondents under sub-section (1) of section 86 of the Representation of the People Act, 1951 (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Balram Upadhyya, retired Judge of the High Court of Allahabad as the member of the Election Tribunal for the trial of the said petition and Chandigarh, as the place where the trial of the petition shall be held.

[No. 82/346/62.]

S.O. 2048.—Whereas the election of Shri Surjit Singh Majithia as a member of the House of the People from the Tarn Taran constituency of that House has been called in question by an election petition presented under Part VI of the Representation of the People Act, 1951 (43 of 1951) by Shri Ajit Singh, Village Margindpura, P.S. Bhikhiwind—Zail Dialpura, Tehsil Pati, District Amritsar;

And whereas the Election Commission has caused a copy of the petition to be published in the official gazette and has served a copy thereof by post on the respondent under sub-section (1) of section 86 of the Representation of the People Act, 1951 (43 of 1951);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri Balram Upadhyya, retired Judge of the High Court of Allahabad as the member of the Election Tribunal for the trial of the said petition and Chandigarh, as the place where the trial of the petition shall be held.

[No. 82/202/62.]

By Order,
C. B. LAL, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 28th June 1962

S.O. 2049.—In exercise of the powers conferred by clause (b) of sub-section (2) of section 3 of the Special Marriage Act, 1954 (43 of 1954), the Central Government hereby makes the following further amendment to the notification of the Government of India in the Ministry of External Affairs No. S.O. 1664, dated the 30th June, 1960, namely:—

In the Table below the said notification in the entries relating to "Canada", the following shall be inserted at the end, namely:—

"1	2
Do.	Trade Commissioner of India, Vancouver."

[No. F. 8(34)-Cons/61.]

R. C. JOSHI,
Attache (Cons).

MINISTRY OF HOME AFFAIRS

New Delhi, the 28th June 1962

S.O. 2050.—In exercise of the powers conferred by clause (1) of article 299 of the Constitution, the President hereby directs that the following instruments may be executed on his behalf by any of the Deputy Secretaries in the Union Public Service Commission, namely:—

- (i) Contracts and other instruments relating to advances granted by the Government to Officers and members of the Staff of the Union Public Service Commission for the purchase of motor cars, motor cycles or sites for building houses or for building houses; and
- (ii) Agreements in connection with the payment of advance for the purchase of daily newspapers or of journals or periodicals, for the Union Public Service Commission.

[No. F. 30/20/61-Ests.(B).]

New Delhi, the 29th June 1962

S.O. 2051.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Central Civil Services (Classification, Control and Appeal) Rules, 1957, namely:—

1. These rules may be called the Central Civil Services (Classification, Control and Appeal) Fifth Amendment Rules, 1962.

2. In Part II of the Schedule to the Central Civil Services (Classification, Control and Appeal) Rules, 1957—

(1) against the entry 'Customs Appraisers Service, Class II—Principal Appraisers and Head Appraisers' in column 1,—

(i) after the existing entries in column 3 the following entry shall be inserted, namely:—

"Collector of Central Excise, Delhi";

(ii) after the existing entry in column 4 the following entry shall be inserted, namely:—

"(i) to (iii)";

(2) against the entry 'Customs Appraisers Service, Class II—Appraisers' in column 1, after the existing entries in column 3, the following entry shall be inserted, namely:—

'Assistant Collector of Central Excise, Delhi.'

[No. F. 7/13/62-ESTS(A).]

B. D. JAYAL, Dy. Secy.

New Delhi, the 28th June 1962

S.O. 2052.—In exercise of the powers conferred by entry 3(b) of the Table annexed to Schedule I to the Indian Arms Rules, 1951, the Central Government is pleased to specify:—

(1) Maharajkumari S. S. Shalini Raje Maharaj Bhonsale,

(2) Maharajkumari S. S. Vijaya Raje Maharaj Shitole and

(3) Maharajkumari Urmila Raje Maharaj Puar,

sisters of His Highness the Maharaja Saheb of Dewas Senior for the purpose of that entry and directs that the exemption shall be valid in respect of one gun, one rifle and one revolver or pistol each.

This Ministry's notification No. 16/23/61-P.IV dated the 25th May 1962, is hereby cancelled.

[No. 16/23/61-P.IV.]

S. K. SINGH, Under Secy.

New Delhi, the 28th June 1962

S.O. 2053.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following amendments to the Statistical Assistants (Office of the Registrar General and ex-officio Census Commissioner) Recruitment Rules, 1960, namely:—

1. These Rules may be called the Statistical Assistants (Office of the Registrar General and ex-officio Census Commissioner) Recruitment (Amendment) Rules, 1962.

2. In the Statistical Assistants (Office of the Registrar General and ex-officio Census Commissioner) Recruitment Rules, 1960,—

(i) for rule 4, the following rule shall be substituted, namely:—

"4. (a) No person who has more than one wife living or who having a spouse living marries in any case in which such marriage is void by reason of its taking place during the life-time of such spouse, shall be eligible for appointment to the said posts; and

- (b) No woman whose marriage is void by reason of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage shall be eligible for appointment to the said posts:

Provided that the Central Government may if satisfied that there are special grounds for so ordering exempt any person from the operation of this rule.

- (ii) In the Schedule, in Column 9, the following sentence shall be added at the end, namely:—

“The qualification of three years’ service in the grade may be relaxed in any particular year when candidates with that qualification are not available for appointment.”

[No. 2/150/61-Pub.I.]

FATEH SINGH, Jt. Secy.

MINISTRY OF FINANCE
(Department of Expenditure)

New Delhi, the 21st June 1962

S.O. 2054.—In pursuance of clause (3) of article 77 of the Constitution and of all other powers enabling him in this behalf, the President hereby makes the following rules to amend the Delegation of Financial Powers Rules, 1958, namely:—

1. These rules may be called the Delegation of Financial Powers (Tenth) Amendment Rules, 1962.

2. They shall be deemed to have come into force on the 25th April, 1962.

3. In the Delegation of Financial Powers Rules, 1958, in Schedule I, under the heading

“X-Union Territories,” under the sub-heading

“(b) Himachal Pradesh Administration.”

for the existing entry “1. Chief Secretary”, the following entry shall be substituted, namely:—

“1. Chief Secretary and Financial Commissioner”.

[No. 2(4)-E.II(A)/62.]

HOT CHAND, Under Secy.

(Department of Economic Affairs)

New Delhi, the 28th June 1962

S.O. 2055.— Statement of the Affairs of the Reserve Bank of India, as on the 15th June 1962.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up.	5,00,00,000	Notes	30,02,70,000
Reserve Fund	80,00,00,000	Rupee Coin	1,87,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin.	3,24,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	56,79,33,000
Deposits :—			
(a) Government			
(1) Central Government	57,42,90,000	Balances held abroad*	9,01,99,000
(2) Other Governments	5,16,73,000	**Loans and Advances to Governments	118,66,66,000
(b) Banks	87,13,56,000	Other Loans and Advances†	124,50,67,000
(c) Others	148,85,64,000	Investments	171,92,28,000
Bills Payable	39,15,37,000	Other Assets	39,22,33,000
Other Liabilities	71,46,87,000		
Rupees	550,21,07,000	Rupees	550,21,07,000

*Includes Cash & Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 3,63,50,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 20th day of June 1962.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 15th day of June 1962.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department .	30,02,70,000		A. Gold Coin and Bullion :—		
Notes in circulation	2131,04,40,000		(a) Held in India	117,76,10,000	
TOTAL NOTES ISSUED		2161,07,10,000	(b) Held outside India	92,68,17,000	
			Foreign Securities		
			TOTAL OF A		210,44,27,000
			B. Rupee Coin		112,41,07,000
			Government of India Rupee Securities		1838,21,76,000
			Internal Bills of Exchange and other commercial paper		
TOTAL LIABILITIES		2161,07,10,000	TOTAL ASSETS		2161,07,10,000

Dated the 20th day of June 1962.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/62]

New Delhi, the 3rd July 1962

S.O. 2056.—Statement of the Affairs of the Reserve Bank of India, as on the 22nd June 1962.

BANKING DEPARTMENT

Liabilities	Rs.	Assets	Rs.
Capital paid up	5,00,00,000	Notes	41,07,07,000
Reserve Fund	80,00,00,000	Rupee Coin	2,06,000
National Agricultural Credit (Long-term Operations) Fund	50,00,00,000	Subsidiary Coin	3,32,000
National Agricultural Credit (Stabilisation) Fund	6,00,00,000	Bills Purchased and Discounted :—	
		(a) Internal
		(b) External
		(c) Government Treasury Bills	52,25,38,000
Deposits :—		Balances held abroad*	9,65,56,000
(a) Government		**Loans and Advances to Governments	124,50,83,000
(1) Central Government	69,76,82,000	Other Loans and Advances†	122,12,51,000
(2) Other Governments	47,96,000	Investments	194,02,87,000
(b) Banks	98,62,41,000	Other Assets	39,74,12,000
(c) Others	151,26,81,000		
Bills Payable	46,91,59,000		
Other Liabilities	71,15,13,000		
Rupees	583,43,72,000	Rupees	583,43,72,000

*Includes Cash and Short-term Securities.

**Includes Temporary Overdrafts to State Governments.

†The item 'Other Loans and Advances' includes Rs. 93,50,000/- advanced to scheduled banks against usance bills under Section 17(4)(c) of the Reserve Bank of India Act.

Dated the 27th day of June 1962,

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 22nd day of June 1962.

ISSUE DEPARTMENT

Liabilities	Rs.	Rs.	Assets	Rs.	Rs.
Notes held in the Banking Department	41,07,07,000		A. Gold Coin and Bullion :—		
Notes in circulation	2097,03,63,000		(a) Held in India	117,76,10,000	
Total Notes issued		2138,10,70,000	(b) Held outside India	
			Foreign Securities	92,68,17,000	
			TOTAL OF A		210,44,27,000
			B. Rupee Coin		114,43,79,000
			Government of India Rupee Securities		1813,22,64,000
			Internal Bills of Exchange and other commercial paper
TOTAL LIABILITIES		2138,10,70,000	TOTAL ASSETS		2138,10,70,000

Dated the 27th day of June 1962.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/62.]

A. BAKSI, Joint Secy.

(Department of Economic Affairs)

(INSURANCE)

New Delhi, the 27th June, 1962.

S.O. 2057.—The following draft of certain rules further to amend the Insurance Rules, 1939, which the Central Government proposes to make in exercise of the powers conferred by section 114 of the Insurance Act, 1938, (4 of 1938) is published as required by sub-section (1) of the said section for the information of all persons likely to be affected thereby; and notice is hereby given that the draft will be taken into consideration by the Central Government on or after 27th July, 1962.

Any objection or suggestion which may be received from any person with respect to the draft on or before the date so specified will be considered by the Central Government.

Draft.

1. These rules may be called the Insurance (Amendment) Rules, 1962.

2. In the Insurance Rules, 1939,—

(1) in rule 16-A,—

(a) for clause (a), the following clause shall be substituted, namely:—

“(a) The applicant shall obtained from the Controller of Insurance a form of application for a licence which shall be,—

- (i) in the case of an individual, Form V, or Form V-A, if he applies for the grant of a licence for the first time or for the renewal of the licence held by him, as the case may be;
- (ii) in the case of a company or firm, Form V-P, or Form V-PA, if it applies for the grant of a licence for the first time or for the renewal of the licence held by it, as the case may be;
- (iii) in the case of a co-operative society or a Panchayat, Form V-S, or Form V-SA, if it applies for the grant of a licence for the first time or for the renewal of the licence held by it, as the case may be.”;

(b) for clause (c), the following clause shall be substituted, namely:—

“(c) The Controller of Insurance or the office authorised by him under sub-section (1) of section 42, of the Act, shall issue a licence after taking all reasonable steps to satisfy himself that the application is in order and that the applicant is not disqualified from holding a licence. No application shall be considered by the Controller of Insurance unless the particulars in Form V-B, Form V-PB, or Form V-SB, as the case may be, have been filled in by the applicant”.

In the case of—

- (i) an individual, the licence shall be in Form V-B;
- (ii) a company or firm, it shall be in Form V-PB;
- (iii) a co-operative society or a Panchayat, it shall be in Form V-SB.”;

(2) in clause (b) of rule 16-E, after the words, figure and letter “or Form V-PB”, the words, figure and letters “or Form V-SB”, shall be inserted;

(3) in Form V-PB, for the portion “Name..... Address having paid the prescribed fee” the following shall be substituted, namely:—

“To be filled in by the applicant

Name

Address

.....

having paid the prescribed fee”.

(4) after Form V-PB, the following Forms shall be inserted, namely:—

FORM V.S.

APPLICATION FROM A CO-OPERATIVE SOCIETY OR PANCHAYAT FOR A
LICENCE TO, ACT AS AN INSURANCE AGENT

(See Rule 16-A, of the Insurance Rules, 1939).

To

The Controller of Insurance,
Department of Insurance,
Simla.

Dear Sir,

It is requested that a licence to act as an Insurance Agent may be granted to our Co-operative Society/Panchayat, particulars given below:—

1. Full name of the applicant (In Block letters).

1. Co-operative Society/panchayat.

.....
.....
.....

2. Full address.

2.
.....
.....

2. It is hereby declared that—

(i) our *Co-operative Society has been
Panchayat.

*registered under the *.....
Incorporated.

*(Please see footnotes also)**

Act and is competent to act as an insurance agent *vide*
Section of the above Act.

(ii) the Society/Panchayat has also been authorised to act as an insurance agent under its by-laws, rules and regulations (*vide* Rules/by-law).

(iii) the particulars given above are true and that the licence for which our
*Co-operative Society/Panchayat apply will be used only by our
*Co-operative Society/Panchayat for soliciting or procuring insurance business; and

(iv) the undersigned has been duly authorised to sign this application.
Government of India
Insurance Stamp
for Rs. 5.

Yours faithfully,

Name of Place

Dated the

Signature with name
and designation.

(Seal of the Co-operative
Society/Panchayat).

*Strike out portions not required.

**Here mention the name of the Central/ State Act, under which the institution is registered or incorporated.

NOTES.

1. The attention of the applicant is drawn to section 104, of the Insurance Act, 1938, which provides that whoever in any document required for the purposes of any of the provisions of that Act, wilfully makes a statement false in any material particular, knowing it to be false, shall be punishable with imprisonment for a term which may extend to three years or with fine which may extend to one thousand rupees, or with both.

2. A licence can be granted to a Co-operative Society/Panchayat registered or incorporated under any Central or State Act.

3. A copy of the By-laws, Rules or Regulations of the applicant certified by its President or Chairman must accompany this application.

4. The application should be filled in, as far as possible in English language.

5. Any correction or alteration made in any answer to the questions in the application should be initialled by the applicant.

6. Payment in CASH OR BY MONEY ORDER, CHEQUE, POSTAL ORDER, POSTAGE STAMP OR BANK DRAFT is not accepted and will be returned at applicant's cost.

7. No acknowledgment of this application will be sent. If one is required, the application should be sent by registered post (acknowledgment due).

FORM V-SA

APPLICATION FROM A COOPERATIVE SOCIETY OR PANCHAYAT FOR RENEWAL OF A LICENCE TO ACT AS AN INSURANCE AGENT

(See Rule 16A of the Insurance Rules, 1939)

From

Name of applicant _____

(In Block letters)

Full address _____

(In Block letters)

To

The Controller of Insurance
Department of Insurance,
Simla.

Licence No. _____

Date of expiry _____

Dear Sir,

It is requested that the above licence may be renewed for a further period of three years.

2. *It is hereby declared that—

*(Please see footnotes also.)

(i) our *Co-operative Society has been *registered under the **_____ panchayat _____ incorporated _____ Act, _____ and is competent to act as an insurance agent vide Section _____ of the above Act.

(ii) the Society/Panchayat has also been authorised to act as an insurance agent under its by-laws, rules, and regulations (vide Rule/by-law....)

(iii) the particulars given above are true and that the licence for which our *Cooperative Society/Panchayat apply will be used only by our Co-operative Society/Panchayat for soliciting or procuring insurance business; and

(iv) the undersigned has been duly authorised to sign this application.
Government of India Insurance Stamp for Rs. 5.

Yours faithfully,

Name of Place _____

Dated the _____ 19 ____

Signature with name
and designation
(Seal of the Cooperative
Society/Panchayat)

*Strike out portions not required.

**Here mention the name of the Central/State Act under which the institution is registered or incorporated.

*(Please see notes on the reverse.)

NOTES

1. The attention of the applicant is drawn to section 104 of the Insurance Act, 1938, which provides that whoever in any document required for the purposes of any of the provisions of that Act, wilfully makes a statement false in any material particular, knowing it to be false, shall be punishable with imprisonment for a term which may extend

- to three years or with fine which may extend to one thousand rupees, or with both.
2. The name and the licence number given in the application should be identical with those shown in the last licence held. If there is any subsequent change in the name, the reasons for the same should be stated furnishing documentary evidence for the same.
 3. Any correction or alteration made in the application should be initialled by the applicant.
 4. The application should be filled in, as far as possible in the English language.
 5. The application should reach the Controller of Insurance before the expiry of the last licence held by the applicant but not more than three months before such expiry and "Government of India Insurance" stamp for Rs. 5 should be affixed to it. If the application does not reach the Controller of Insurance at least 30 days before the date on which the last licence ceases to be in force, "Government of India Insurance" Stamp to the value of Rs. 2/- should be affixed to the application by way of penalty. In this connection also refer to the provisos to Rule 16-A of the Insurance Rules 1939.
 6. Payment in CASH OR MONEY ORDER, CHEQUE, POSTAL ORDER, POSTAGE STAMP OR BANK DRAFT is not accepted and will be returned at applicant's cost.
 7. No acknowledgment of this application will be sent. If one is required the application should be sent by registered post (acknowledgment dule).

Not Transferable

FORM V-SB

**GOVERNMENT OF INDIA
(Department of Insurance)**

Licence No. _____

(See Rule 16-A of the Insurance Rules, 1939)

**LICENCE TO ACT AS AN INSURANCE AGENT UNDER
PART II OF THE INSURANCE ACT, 1938.**

NAME _____

ADDRESS _____

(To be filled in by the applicant.)

See notes

having paid the prescribed fee and having made the necessary declaration is hereby authorised to act as an insurance Agent for three years from

CONTROLLER OF INSURANCE.

Simla, dated the 19 .

Signature and seal of Licence holder _____

This licence is not valid unless it bears a facsimile of the signature of the Controller of Insurance and the initials of a person authorised by him in this behalf and the signature of the licence holder. The latter should put his signature and seal as soon as the licence is received.

(See notes on the reverse.)

NOTES

1. If it is desired to renew this licence for a further period, the procedure laid down in Rules 16 and 16-A of the Insurance Rules, 1939, shall be followed and an application for renewal should reach the Controller of Insurance before the licence expires. In this connection, attention is also invited to the provisos to Rule 16-A of the Insurance Rules, 1939.
2. No correction in this licence will be valid unless initialled by the Controller of Insurance or a person authorised by him in this behalf.

[No. 3(3)-INS(II)/58.]

L. R. SINGHAL, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 27th June 1962

S.O. 2058.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), and in partial modification of all previous notifications on the subject, the Central Board of Revenue hereby directs that with effect from the 4th June, 1962 (forenoon), Shri B. M. Mitra, a Commissioner of Income-tax shall perform all the functions of Commissioner of Income-tax in respect of such areas or of such persons or classes of persons or such incomes or classes of incomes or such cases or classes of cases as are comprised in the Income-tax Circles, Wards or Districts in the State of West Bengal as specified below:—

1. Companies District II, Calcutta.
2. Companies District IV, Calcutta.
3. District III(2), Calcutta.
4. Special Survey Circle I, Calcutta.
5. District V(I), Calcutta.
6. District I(I), Calcutta.
7. Non-Companies (I.T. *cum* E.P.T.) District II, Calcutta.
8. District IV(1), Calcutta.
9. District IV(3), Calcutta.
10. Special Survey Circle II, Calcutta.
11. Special Survey Circle III, Calcutta.
12. District V(II), Calcutta.
13. District I(2), Calcutta.
14. Special Survey Circle IV, Calcutta.
15. Project Circle, Calcutta.
16. District V-A, Calcutta.
17. Railways and Miscellaneous Salaries Circle, Calcutta.
18. District IV(2), Calcutta.
19. District II(I), Calcutta.
20. Cinema Circle, Calcutta.
21. Special Survey Circle IX, Calcutta.

Provided that he shall also perform his functions in respect of such persons or of such cases as have been or may be assigned by the Central Board of Revenue to any Income-tax Authority subordinate to him.

Provided further that he shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax Authority outside his jurisdictional area.

While performing the said functions the said Shri Mitra shall be designated as the Commissioner of Income-tax, Calcutta with headquarters at Calcutta.

Explanatory Note

NOTE: The amendments have become necessary due to a change in the incumbency of Commissioner's post.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 30 (F. No. 55/1/62-IT).]

New Delhi, the 29th June 1962

S.O. 2059.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Revenue

hereby makes the following amendments to its Notification S.O. 1497 (No. 24-Income-tax dated the 14th May 1962), namely:—

In the Schedule annexed to the said notification, for the existing entries in col. 2 against 'A' Range Ahmedabad and Bhavnagar Range, the following shall be substituted, namely:—

'A' Range Ahmedabad	1. Group Circles A, B & C, Ahmedabad.
	2. Circle VI, Ahmedabad.
	3. Mehsana Circle.
Bhavnagar Range	1. Bhavnagar Circle.
	2. Junagadh Circle.
	3. Surendranagar Circle.
	4. Amreli Circle.

This notification shall take effect from 9th day of July, 1962.

Explanatory Note

These amendments have become necessary on account of the Re-organisation of the Appellate Ranges.

(The above note does not form a part of the notification but is intended to be merely clarificatory).

[No. 31 (F. No. 50/62-IT.)]

D. V. JUNNARKAR, Under Secy.

ESTATE DUTY

New Delhi, the 3rd July 1962

S.O. 2060.—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of its notification No. 58/21/91/60-ED. dated the 23rd September, 1961, published as S.O. No. 2323, dated the 23rd September, 1961, in Part II-Section 3—Sub-section (ii) of the Gazette of India, dated the 30th September 1961, the Central Board of Revenue hereby directs that subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-ED.F. No. 21/52/57-ED dated the 5th September, 1957, as amended by its notification No. 8/F. No. 12/1/59-ED dated the 1st April, 1959, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty *cum* Income-tax Circle, Patiala, and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller and exercising jurisdiction over the said circle shall perform his functions as Assistant Controller and Deputy Controller respectively, in the said circle to the exclusion of all other Assistant Controllers or Deputy Controllers, in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax, had they derived any taxable income, in any Income-tax Circle the headquarters of which lies within the revenue districts of

- (i) Patiala, Sangrur, Ambala, Rohtak, Mohindergarh, Gurgaon, Hissar, Karnal and Simla of the Punjab State; and
- (ii) Nahan, Mahasu, Bilaspur, Mandi, and Kinnur of Himachal Pradesh.

2. This notification shall come into force with effect from the 7th July, 1962.

Explanatory Note

(This note is not part of the notification but is intended to be merely clarificatory).

By this notification jurisdiction over the cases arising under the Estate Duty Act, 1953, in the district of Sangrur is transferred from the Assistant Controller of Estate Duty, Amritsar to the Assistant Controller of Estate Duty, Patiala.

[No. 7/F. No. 21/68/62-ED.]

S.O. 2061.—In exercise of the powers conferred by the second proviso to sub-section (2) of section 4 of the Estate Duty Act, 1953 (34 of 1953) and in supersession of its notification No. 59/F. No. 21/91/60-ED dated the 23rd September, 1961, published as S.O. No. 2324 dated the 23rd September, 1961, in Part II—Section 3—Sub-section (ii) of the Gazette of India dated the 30th September, 1961, the Central Board of Revenue hereby directs that subject to the pecuniary limits specified in the notification of the Central Board of Revenue No. 11-ED/F. No. 21/52/57-ED dated the 5th September, 1957, as amended by its notification No. 8/F. No. 12/1/59-ED dated the 1st April, 1959, every Income-tax Officer appointed to be an Assistant Controller and posted to the Estate Duty cum Income-tax Circle, Amritsar and every Inspecting Assistant Commissioner of Income-tax appointed to be a Deputy Controller and exercising jurisdiction over the said circle shall perform his functions as Assistant Controller and Deputy Controller respectively in the said circle to the exclusion of all other Assistant Controllers or Deputy Controllers, in respect of the estates of all deceased persons who immediately before their death were being or would have been assessed to income-tax, had they derived any taxable income, in any Income-tax Circle the headquarters of which lies within the revenue districts of:—

- (i) Amritsar, Bhatinda, Ferozepur, Jullundur, Hoshiarpur, Ludhiana, Gurdaspur, Kangra, Lahaul, Spiti, and Kapurthala of the Punjab State;
- (ii) Srinagar, Baramulla, Anantnag, Ladakh, Jammu, Udhampur, Kathua, Poonch and Doda of the State of Jammu & Kashmir; and
- (iii) Chamba of Himachal Pradesh.

2. This notification shall come into force with effect from the 7th July, 1962.

Explanatory Note

(This note is not part of the notification but is intended to be merely clarificatory).

By this notification jurisdiction over the cases arising under the Estate Duty Act, 1953, in the district of Sangrur is transferred from the Assistant Controller of Estate Duty, Amritsar to the Assistant Controller of Estate Duty, Patiala.

[No. 8/F. No. 21/68/62-ED.]

T. R. VISWANATHAN, Secy.,

LAND CUSTOMS

New Delhi, the 7th July 1962

S.O. 2062.—In exercise of the powers conferred by sub-section (1) of section 3 of the Land Customs Act, 1924 (19 of 1924) read with the notification of the Government of India in the late Finance Department (Central Revenues) No. 5944, dated the 13th December, 1924, the Central Board of Revenue hereby makes the following amendments to its notification No. 6-Land Customs/F. No. 8/1/60-L.C.I., dated the 23rd September, 1961, namely:—

In the said notification

(a) for the existing entries against serial number 3, the following entries shall be substituted, namely:—

“Commandants of Border Security Forces, Assam at Masimpur, Shillong, Tura, Panchgram and Aljal”;

(b) for the existing entries against serial number 4, the following entries shall be substituted, namely:—

“Assistant Commandants of Border Security Forces at Masimpur, Akbarpur, Kakhimpur, Shillong, Balat, Dawki, Baghmara, Halladiganj, Panchgram, Dhubri, Lungleh and Demagiri”;

(c) after serial number 4, and the entries relating thereto, the following shall be inserted, namely:—

"5. Second-in-Command, Border Security Force at Aijal".

(d) the existing serial number 5, shall be renumbered as '6'.

[No. 6/F. No. 8/3/62-L.C.I.]

J. BANERJEE, Secy.

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE, BANGALORE

CENTRAL EXCISE

Bangalore, the 12th June 1962

S.O. 2063.—In the Schedule to Notification No. 5/61 dated 27th September 1961, published under S.O. No. 2481 in part II Sec. 3(ii) of the Gazette of India dated 14th October 1961, the following amendment is ordered with immediate effect.—

In Serial No. 15, Raichur District against the existing entries in Columns 2, 3, & 4 substitute the following:—

Area delimited	Exceptions	Officer to whom declarations are to be rendered in case the prescribed limits are exceeded.
1. Gangavathi Taluk-	Kushtagi Firka Tarvargere. Mukund Village. Mudgal Village.	Range Officer, Central Excise, Gangavathi.
2. Kushtagi taluk		
3. Sindhnoor taluk		
4. Lingasugur taluk		
5. Hitnal firka of Koppal Taluk	—	R. O., Central Excise, Koppal East.
6. Bandi firka of Yalbarga taluk	—	R. O., Central Excise, Koppal West.
7. Manvi taluk	Kalamala and Jigarkal Villages of Kalamalla firka.	R. O., Central Excise, Raichur.
8. Raichur taluk		
9. Deodurg	—	

[No. 7/62.]

Bangalore, the 20th June 1962

S.O. 2064.—Whereas it appears that a quantity of 493 Kgs. of I.A.C. Birl tobacco (Jarda) filled in 12 bags seized on 25th September, 1961, by Deputy Superintendent of Central Excise, Ranebennur, from a room in the Mouiali Darga bearing census No. XV 133 at Darga Village, Hanagal Taluk, Dharwar District, was transported without a transport document evidencing payment of duty thereon in contravention of Rules 9(1) and 32(1) of Central Excise Rules, 1944.

Therefore, any person claiming ownership of the said tobacco is hereby called upon to show cause to the Collector of Central Excise, Central Revenues Building, Queens Road, Bangalore-1, why the said tobacco should not be confiscated and why penalty should not be imposed on him/them for contravention of Rules 9(1) and 32(1) of the said Rules.

If such an owner/owners fail to turn up to claim the said unclaimed tobacco or to show cause against the action proposed to be taken within *one month* of the date of publication of this Notice in the Government of India Gazette, the goods in question will be treated as unclaimed and the case will be decided accordingly.

[No. File Va/13/13/61-B2.]

N. MOOKHERJEE,
Collector.

CENTRAL EXCISE COLLECTORATE, HYDERABAD**CENTRAL EXCISE***Hyderabad, the 25th June 1962*

S.O. 2065.—In exercise of the powers conferred on me under Rule 5. of the Central Excise Rules, 1944, and in partial modification of this office Notification. (Central Excise) No. 7/61, dated 21st July, 1961, I hereby delegate to officers not below the rank of Inspectors of Central Excise in the Central Excise Collectorate, Hyderabad, the powers of Collector under sub-rule (2) of Rule 9(B) of the Central Excise Rules, 1944, in so far as it relates to acceptance of bond to cover any particular consignment.

[No. 12/62.]

[Issued from file C No. IV/16/77/61.M.P.]

S.O. 2066.—In exercise of the powers conferred on me under Rule 233 of the Central Excise Rules, 1944, I hereby direct all manufacturers of Cotton Yarn to note on yarn bales their gross and net weights as also the count of yarn contained in the bale. A weight specification sheet should also be attached to each A.R.1.

[No. 13/62.]

[Issued from file C. No. IV/16/81/61. M.P.]

R. C. MEHRA,
Collector.

MINISTRY OF COMMERCE AND INDUSTRY**COFFEE CONTROL***New Delhi, the 28th June, 1962*

S.O. 2067.—The Central Government hereby notifies that Shri T. S. Pattabiraman, Member of Parliament, has been elected by the Rajya Sabha as a member of the Coffee Board under clause (b) of sub-section (2) of section 4 of the Coffee Act, 1942 (7 of 1942). He shall hold office for the period ending with the 18th April, 1965 or for so long as he continues to be a Member of the Rajya Sabha, whichever is less.

[No. F. 1(1)Plant(B)/62.]

B. KRISHNAMURTHY, Under Secy.**(Office of the Chief Controller of Imports and Exports)***New Delhi, the 25th June 1962*

S.O. 2068.—Whereas there is reason to believe that Licence No. A 608292/61/AU-NS/CCI/HQ/NPC11, dated 24th May, 1962, valued at Rs. 1,60,000.00 for the import of White Printing Paper (Excluding laid marked paper) which contains Mechanical Wood Pulp amounting to not less than 70 per cent. of the Fibre content and should not be less than 50 grammes per Sq. Metre, falling under S. No. 44/V of Import Trade Control Schedule, from the General Currency Area, granted by the Chief Controller of Imports and Exports, New Delhi, to M/s. Betar Jagat Bengali Fortnightly, C/o Modern Press, 7, Raja Subodh Mallick Square, Calcutta-13, was obtained on misrepresentation of facts, it is, therefore, hereby notified,

that in exercise of the powers conferred by Clause 9 of the Imports (Control) Order, 1955, the Government of India, in the Ministry of Commerce and Industry, propose to cancel the said licence No. A 608292/61/AU-NS/CCI/HQ/II, NPC, dated 24th May, 1962, unless sufficient cause against this is furnished to the Chief Controller of Imports and Exports, New Delhi, within ten days of date of issue of this Notice by the said M/s. Betar Jagat Bengali Fortnightly, C/o Modern Press, 7, Raja Subodh Mallick Square, Calcutta-13, or any Bank, or any other party, who may be interested in it.

(2) In view of what is stated above, M/s. Betar Jagat Bengali Fortnightly, C/o Modern Press, 7, Raja Subodh Mallick Square, Calcutta-13, or any Bank, or any other party, who may be interested in the said Licence No. A 608292/61/AU-NS/CCI/HQ/NPC11 dated 24th May, 1962, are hereby directed not to enter into any commitments against the said licence and return it immediately to the Chief Controller of Imports and Exports, New Delhi.

[No. 116/HQ/62/I(2)/1711.]

E. M. JAYARAJAN,

Dy. Chief Controller of Imports and Exports.
for Chief Controller of Import and Exports.

MINISTRY OF MINES AND FUEL

New Delhi, the 29th June 1962

S.O. 2069.—In exercise of the powers conferred by section 3 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Steel, Mines and Fuel No. S.R.O. 2434 dated the 16th July, 1957 namely:—

In the Schedule to the said notification, for the entries in columns 2 and 3 against Serial Numbers 3 and 4 the following entries shall be substituted, namely:—

"12 Revenue Officer, National Coal Development Corporation Ltd. Ranchi.

13(6) Revenue Officer, National Coal Development Corporation Ltd. Ranchi.

[No. C2. 1(11)/62.]

S.O. 2070.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/157/61

Dated 20-11-61.

(BLOCK I) Bokaro Coalfield

S. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Sawang	Gomia	107	Hazaribagh		Part.
2.	Armo	Nawadih	11	Hazaribagh		Part.
3.	Gobindpur	Nawadih	15	Hazaribagh		Part.

Total Area 355.00 acres (Approx.)

BOUNDARY DESCRIPTION

A-B line passes through village Sawang meeting at point B.

B-C line passes for some portion along the common boundary of villages Sawang and Sasbera upto the middle point of River Kunar, then for some portion through River Kunar and left bank of River Kunar i.e. through village Armo, meeting at point C.

C-D line passes along the left bank of River Kunar i.e., through villages Armo & Gobindpur, meeting at point 'D'

D-E line passes through River Kunar upto middle point i.e. through village Gobindpur, meeting at point 'E'.

E-A line passes for some portion through river Kunar (which is also through village Sawang) and then through village Sawang meeting at point A.

The map of this area can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi, or in the office of the Deputy Commissioner Hazaribagh.

[No. C2-20(17)/62.]

S.O. 2071.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957), the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/157/61

Dated 20-11-61

(BLOCK III) Bokaro Coalfield

S. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Jarangdih	Nawadih	116	Hazaribagh		Part

Total Area 35.00 acres (Approx.)

BOUNDARY DESCRIPTION

Q-R line passes through village Jarangdih, meeting at point 'R'.

R-S line passes along the Central line of River Damodar meeting at point 'S'.

S-T line passes along the common boundary of villages Kathara and Jarangdih and meeting at point 'T'.

T-Q line passes along the common boundary of villages Borea and Jarangdih, meeting at point 'Q'.

The map of this area can be inspected at the office of the National Coal Development Corporation Limited (Revenue Section) Darbhanga House, Ranchi, or in the office of the Deputy Commissioner, Hazaribagh.

[No. C2-20(17)/62.]

S.O. 2072.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/157/61

Dated 20-11-61

(BLOCK IV) Bokaro Coalfield

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Baidkaro	Nawadih	20	Hazaribagh		Part.
2.	Karagali	"	66	"		Part.
3.	Phusro	"	67	"		Part.

Total area 50.00 acres (Approx.)

BOUNDARY DESCRIPTION

U-V line passes along left bank of River Damodar i.e. through villages Baidkaro, Kargali, Phusro meeting at point 'V'.

V-W line passes through River Damodar i.e. through village Phusro, meeting at point 'W'.

W-X line passes along the Central line of River Damodar meeting at point 'X'.

X-U line passes through River Damodar i.e. through village Baidkaro, meeting at point 'U'.

The map of this area can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Section), Darbhanga House, Ranchi, or in the office of the Deputy Commissioner, Hazaribagh.

[No. C2-20(17)/62.]

S.O. 2073.—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) the Central Government hereby gives notice of its intention to prospect for coal therein.

SCHEDULE

Drawing No. Rev/157/61

Dated 20-11-61

(BLOCK II) Bokaro Coalfield

Sl. No.	Village	Thana	Thana No.	District	Area	Remarks
1.	Hazari	Gomia	112	Hazaribagh		Part.
2.	Palavi	"	119	"		"
3.	Bandh	"	118	"		"
4.	Mahlibandh	"	113	"		"
5.	Gobindpur	Nawadih	15	"		"
6.	Bermo	"	18	"		"
7.	Jaridih	"	19	"		"
8.	Borea	"	115	"		"
Total area 1600.00 acres (Approx.)						

BOUNDARY DESCRIPTION

F-C line passes through village Hazari meeting at point G.

G-H line passes through village Hazari, for some portion through River Kunar (which is also through village Hazari) meeting at point H.

H-E line passes along the Central line of River Kunar meeting at point E.

E-D line passes through River Kunar upto point 'D' i.e. through village Gobindpur.

D-I line passes along the left Bank of River Kūnar i.e. through village Gobindpur, meeting at point I.

I-J line passes along the Railway line i.e. through villages Gobindpur, Bermo and Jaridih, meeting at point J.

J-K line passes through village Jaridih, for some portion through River Bokaro (which is also through village Jaridih) and meeting at Central Line of River at point 'K'.

K-L line passes along the Central line River Bokaro & meeting at point L.

L-M line passes through River Bokaro i.e. Through village Borea meeting at point M.

M-N line passes along the Right Bank of River Bokaro i.e. through villages Borea, Mahlibandh, Bandh, Palani & meeting at point N.

N-O line passes through River Bokaro i.e. along the common boundary of villages Palani & Saram, meeting at the Central line of River Bokaro at point 'O'.

Q-P line passes along the Central line of River Bokaro meeting at point I.

P-F line passes along the common boundary of villages Hazari and Khud-gara, meeting at point F.

The map of this area can be inspected at the office of the National Coal Development Corporation Ltd. (Revenue Sec.) Darbhanga House, Ranchi or in the office of the Deputy Commissioner, Hazaribagh.

[No. C2-20(17)/62.]

A. S. GREWAL, Dy. Secy.

MINISTRY OF COMMUNITY DEVELOPMENT, PANCHAYATI RAJ, AND COOPERATION

(Department of Cooperation)

New Delhi, the 23rd June 1962

S.O. 2074.—In exercise of the powers conferred by Section 5B of the Multi-Unit Cooperative Societies Act, 1942 (6 of 1942), the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the late Ministry of Community Development and Co-operation, (Department of Cooperation), No. S.O. 1593 dated the 28th June 1961, published at page 1555 of Part II, Section 3(ii) of the Gazette of India of the 8th July, 1961, namely:—

In the said notification (i) for the entries "Shri A. C. Bandopadhyay" against serial No. 10, the entries "Shri K. S. Bawa" shall be substituted, (ii) for the entries "Lt. Col. H. S. Butalia" against serial No. 21, the entries "Shri L. B. Thanga" shall be substituted.

[No. 3-40/60-CT.]

S. S. PURI, Dy. Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agricultural)

(I.C.A.R.)

New Delhi, the 23rd June, 1962

S.O. 2075.—In pursuance of the provisions of Sub-Section (d) of Section 4 of the Indian Oilseeds Committee Act, 1946, (9 of 1946), the Central Government hereby appoint the Technical Adviser, Ministry of Food and Agriculture (Department of Food), and Shri D. M. Jejurikar, Deputy Secretary in the Ministry of Commerce and Industry as members of the Indian Central Oilseeds Committee, for a period ending on 31st March, 1965.

[No. 8-34/62-Com. II.]

New Delhi, the 25th June 1962

S.O. 2076.—Under Section 4(viii) of the Indian Cotton Cess Act, 1923 (14 of 1923), the Central Government are pleased to nominate Shri Digambar Singh, M.P. Mathura, as member of the Indian Central Cotton Committee, to represent the Cotton Growing Industry in Uttar Pradesh State for the period ending the 31st March, 1965.

[No. 1-4/62-Com.IV/III.]

SANTOKH SINGH, Under Secy.

MINISTRY OF TRANSPORT AND COMMUNICATIONS

(Departments of Communications and Civil Aviation)

New Delhi, the 28th June 1962

S.O. 2077.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 6 of the Aircraft Act, 1934 (22 of 1934), and in supersession of the Notification of the Government of India in the late Ministry of Communications No. 10-A/35-47, dated the 7th January, 1948, the Central Government, being

of the opinion that it is in the interests of public safety so to do, hereby orders that no aircraft, other than an aircraft engaged in a scheduled air transport service, shall make flights into, or in transit across, the territory of India save in accordance with the following conditions which shall be observed by every person in charge of such aircraft or otherwise assisting in the flight thereof, namely:—

- (1) Every such aircraft shall, immediately upon entry into India, and without a prior landing elsewhere in India, be flown to and landed at—
 - (a) if the entry is from the West, Bombay (Santa Cruz) airport; and if the entry is from the West via Karachi Airport, Bombay (Santa Cruz) Airport, Ahmedabad or Delhi (Palam) Airport;
 - (b) if the entry is from the East, Calcutta (Dum-Dum) Airport, but aircraft from Singapore may also land directly at Madras (St. Thomas Mount) airport;
 - (c) if the entry is from the South, Madras (St. Thomas Mount) Airport or Tiruchirappalli Airport; and
 - (d) if the entry is from Nepal, Calcutta (Dum Dum) airport, Delhi (Palam) airport, Patna airport or Varanasi (Babatpur) airport.
- (2) The aircraft, after such landing, shall not proceed further unless the pilot has obtained a clearance certificate in writing from an officer duly authorised by the Central Government in this behalf:

Provided that the Central Government may by general or special order exempt any aircraft or class of aircraft generally or for any specified flight from the provisions of this order.

[No. F. 10-A/63-60.]

K. GOPALAKRISHNAN, Dy. Secy.

(Posts and Telegraphs Board)

New Delhi, the 28th June 1962

S.O. 2078.—In exercise of the powers conferred by section 7 of the Indian Telegraph Act, 1885 (13 of 1885), the Central Government hereby makes the following rules further to amend the Indian Telegraph Rules, 1951, namely:—

1. (i) These rules may be called the Indian Telegraph (Fifth Amendment) Rules, 1962.

(ii) They shall come into force with effect from the 15th day of July, 1962.

2. In rule 2 of the Indian Telegraph Rules, 1951 (hereinafter referred to as the said rules), the following clauses (c)(i); (d)(i); (bb)(i); (ff)(i) and (nn)(i) shall respectively be inserted after clauses (c), (d), (bb), (ff) and (nn) namely:—

“(c)(i) ‘Collect call’ means a call for which the person booking the trunk call specifies, while booking it, that he wishes the call to be paid for by the called party;

(d)(i) ‘Credit card facility’ means a facility whereunder a subscriber or his representative who has applied for and been issued under such terms and conditions as may be prescribed by the telegraph authority with a Credit Card, may make trunk calls from any telephone, public or private, to any other telephone and have the charges debited against the telephone subscriber specified in the credit card.

(bb)(i) ‘Number-to-Number call’ is a trunk call exchanged between a specified telephone number at one station and another specified telephone number at another station.

(ff)(i) ‘Person-to-Person call’ is a trunk call arranged from a specified individual at one station to another specified individual at another station whether these persons be subscribers or not.

(nn)(i) ‘Reversed charge call’ is a trunk call which a person is authorised to make from any Public Call Office to a specified telephone number without prepayment of the charges for such a call, the charges being recoverable from the called subscriber.”

3. For rule 440 of the said rules the following rule shall be substituted, namely:—

"440. Responsibility of subscriber to pay bills.—(1) Save as provided in sub-rules (2) and (3), a subscriber shall be personally responsible for all calls (local and trunk) made and phonograms sent for onward transmission from his telephone and for the payment of call charges therefor.

(2) For collect calls and reversed charge calls the charge shall be payable by the called subscriber. In case the called subscriber on a collect call does not agree to pay the charges the call will not be set up but an appropriate charge to cover the work done by the exchange shall be payable by the subscriber from whose telephone the call was booked or by the person who booked the call from a public call office.

(3) For calls made with credit card facility the Charge shall be payable by the subscriber in whose name the credit card has been issued and whose telephone number has been specified in the credit card for debiting the charges."

4. In rule 447 of the said rules, the following sentence shall be added at the end, namely:—

"The telegraph authority shall have the power to interrupt any class of call in progress for putting through certain calls of higher priorities."

5. After sub-rule (2) of rule 449 of the said rules the following Note shall be inserted, namely:—

"NOTE.—The provisions of this rule shall not be applicable to Fixed Time Calls and Subscription Fixed Time Calls nor shall they apply to International Telephone Service or Indo-Ceylon, Indo-Nepal and Indo-Pakistan calls."

6. For Part VI of the said rules the following Part shall be substituted, namely:—

PART VI

International Telephone Service

460. The rules in this part shall apply only to International Telephone Service. Save as otherwise provided in this Part, International Telephone Service shall be governed by the rules prescribed for Trunk calls in Part V.

461. **Definitions.**—Without prejudice to the definitions contained in rule 2, the following definitions shall also apply for the interpretation of the rules in this Part, namely:—

- (a) 'Distress Calls' (Rush or Emergency calls) are calls concerning the safety of life at sea, on land or in air, including exceptionally urgent epidemiological calls of the World Health Organisation;
- (b) 'Government call' means a telephone call originated in his official capacity by any one of the authorities specified in rule 348;
- (c) 'International Trunk Exchange' means a telephone exchange which has been specifically set up for the purpose of connecting international telephone circuits and to which international telephone circuits are directly connected;
- (d) 'Private Calls' are calls other than Distress calls, Government calls and Service calls.
- (e) 'Service calls' are calls booked by persons authorised to do so by their respective Administration on matters relating to the working of International Telephone or Telegraph Service, including the establishment and maintenance of circuits for other telecommunication services effected with the assistance of International Telephone Service.

462. **Scope of International Telephone Service.**—(1) International Telephone Service shall be provided by agreement between India and such foreign countries as are notified from time to time by the Central Government.

(2) International Telephone Service to each country shall operate during such hours as are fixed by the telegraph authority from time to time.

463. Classes and Priorities of Calls and Special Facilities.—(1) The Central Government shall determine by mutual agreement with foreign Administrations the classes of calls and special facilities that may be accorded for users in each International Service. The terms and conditions governing classes and priorities of calls and special facilities on calls shall be as prescribed by the Central Government from time to time.

(2) Calls shall ordinarily be set up in the following order:—

- (a) distress calls;
- (b) service calls for the purpose of re-establishing International telephone routes which have been totally interrupted;
- (c) Government calls (Those for which priority has been specially requested shall be handled earlier than other Government calls for which priority has not been requested);
- (d) private calls; and
- (e) service calls other than those included in sub-clause (b).

(3) In services where 'lightning' and 'urgent' classes of calls are admitted, the order of priority for establishing calls shall be,—

- (a) distress calls;
- (b) lightning service calls for the purpose of re-establishing international telephone routes which have been totally interrupted;
- (c) lightning Government calls;
- (d) lightning private calls;
- (e) urgent Government calls;
- (f) urgent service calls;
- (g) urgent private calls;
- (h) ordinary Government calls for which priority has been specially requested;
- (i) Ordinary Government calls other than those included in clause (h);
- (j) ordinary private calls; and
- (k) ordinary service calls.

(4) Within each of the categories of calls specified in sub-rules (1) and (2), calls shall take their turn according to the order in which they are booked.

464. Booking of Calls.—(1) International telephone calls may be booked by any telephone exchange, and by such Public Call Offices as may be specified by the telegraph authority for booking such calls.

(2) In the booking of a call the following particulars shall be given by the subscriber, namely:—

- (i) for a Number-to-Number call:
 - (a) calling telephone number; and
 - (b) called exchange and telephone number; if not known, address or any other particulars for identifying the wanted number.
- (ii) for a Person-to-Person call:
 - (a) calling telephone number;
 - (b) called exchange and telephone number;
 - (c) name of caller; and
 - (d) name of the called person.
- (iii) for a Government call:

The person booking a Government call shall be required to state his name and rank if asked.

(iv) The subscribers shall also furnish such additional information as shall be required by the International Trunk Exchange for completing the call.

(3) Subject to the provisions of sub-rule (2) of rule 462 and sub-rule (3) of this rule, a caller may specify at the time of booking a call;—

- (a) that he wishes the call to mature only after a particular time stated by him; or
- (b) that he does not wish the call to mature between certain stated hours; or
- (c) that he wishes the call to be cancelled if it does not mature by a specified time.

Arrangements shall normally be made to comply with the subscriber's wishes when traffic and other conditions permit. The telegraph authority reserves the right to deny the caller any or all of the facilities specified in clauses (a), (b) and (c).

(4) The booking of a call may be modified by the caller subject to such terms and conditions as are fixed by the telegraph authority from time to time so long as he has not been advised that the call is about to be set up.

(5) The period of validity of a booked call, which is otherwise not completed or cancelled by the caller, shall be fixed by the Central Government in agreement with the concerned foreign Administration.

465. Timing and Extension of Calls.—(1) A call begins—

- (i) in the case of a Number-to-Number call, when communication is established between the calling and called telephone number, and
- (ii) in the case of a Person-to-Person call, when communication is established between the specified persons.

A call ends when the calling telephone gives the clearing signal that the call has ended or at the instant when, although the caller has not replaced his receiver, the call is cleared down by an operator.

(2) The duration of a call so determined shall be charged for at the prescribed rates, provided that there shall be deducted therefrom the periods during which the communication was noted or recognised to have been ineffective through no fault of the subscribers; such periods shall be determined by the International Trunk Exchange responsible for fixing the charge.

(3) An announcement such as 'three minutes' and 'six minutes' shall be made to the caller just before the expiry of each unit period of three minutes of effective conversation. Subject to the provisions contained in sub-rule (1) of rule 467 conversation shall not be otherwise interrupted and the caller shall end or extend his call as he desires without being specifically asked at any time whether he wishes an extension.

466. Language of Service.—The English language shall ordinarily be used as a service language by the International Trunk Exchange operators in India for the exchange of conversation concerning the establishment of call with subscribers and international operators of foreign Administrations.

467. Duration of Calls.—(1) The telegraph authority shall have the right to limit the duration of any call to a specified period and also have the power to interrupt calls in progress for putting through certain calls of higher priorities. In cases in which the duration of any calls is limited, the caller shall be informed of this, if possible, at the time when the call is about to be connected and the calling and the called subscribers shall also be advised of this a few seconds before the disconnection of the call.

(2) Subject to the provisions of sub-rule (1), calls booked from Public Calls offices shall be treated as limited duration calls and the caller shall have not option to extend a call beyond the pre-determined time. If a caller requires longer time, he shall book a fresh call.

468. Cancellation of Calls.—A caller may cancel his call at any time before he is called to take the call and the call shall then be treated as ineffective. No charges are ordinarily payable for cancellation of calls except in cases where charges have been prescribed by the Central Government.

469. Charges.—(1) With respect to effective calls—

- (a) the charges for the various classes and priorities of calls and special facilities accorded to users shall be fixed from time to time by the Central Government;

- (b) it shall be open to the Central Government to determine by mutual agreement with foreign Administrations any reduction in the charges, fixed under clause (a), during particular periods;
- (c) the minimum chargeable duration shall be three minutes;
- (d) when the chargeable duration of a call exceeds 3 minutes an additional charge shall be made for each minute or fraction of a minute in excess of 3 minutes and the charge per each additional minute shall be approximately one third of the charge for 3 minutes; and
- (e) the charge for a call to any country is the same irrespective of the route used for the establishment of the call.

(2) With respect to ineffective calls—

- (a) no charge shall be leviable for any reason through a fault of telephone service;
- (b) except in the case of person-to-person calls and calls for which a supplementary charge is due, no charge shall be payable by a subscriber who cancels his call, either before he is informed that the call is at the point of being set up or after having been advised that the call is on the point of being set up when he is informed that the called subscriber is engaged or that there is no reply.
- (c) for calls (other than person-to-person calls and calls for which a supplementary charge is due) which are refused by the calling or called subscriber, charge shall be payable equal to the cost of one minute of ordinary conversation exchanged during the charge period in which the refusal took place;
- (d) Person-to-person calls are subject to a report charge the amount of which and the conditions under which such charge is payable shall be fixed by the Central Government from time to time;
- (e) in the case of calls for which a supplementary charge is due, the appropriate supplementary charge shall be payable for calls ineffective due to cancellation of booking by the caller, or refusal by the calling or called number or by the called party, provided that in the case of cancellations such supplementary charges shall be payable only if at the moment when the originating International Trunk Exchange is informed of the cancellation, the particulars in respect of booking have already been transmitted to the next International Trunk Exchange;
- (f) when a call is booked to an incorrect number and the call is set up with that number, the call shall be charged for three minutes duration and if the incorrect booking is replaced immediately by another booking of a call to the same country, the previously set up call with the wrong number shall be subject to only one minute charge.

(3) Notwithstanding anything contained in this rule, the charges for ineffective calls with certain special facilities which may be specified by the Central Government shall be as fixed by that Government from time to time.

(4) The provisions of sub-rules (1), (2) and (3) shall not apply to service calls which are exchanged free of charge between the Central Government and foreign Administrations. The Chairman of the Administrative Council and the Secretary General of the International Tele-communication Union, the Director of the International Telegraph and Telephone Consultative Committee, the Director and Vice-Director of the International Radio Consultative Committee and the Chairman of the International Frequency Registration Board may make free telephone calls from India with foreign Administrations on the official business of the International Telecommunication Union.

470. Complaints and Refunds.—Any complaint made after the completion of call shall be investigated by the originating International Trunk Exchange. Claims for reduction of charges shall be considered only if the difficulties experienced have been duly noted or admitted by the competent services of the Administrations or recognised private operating agencies concerned.

471. **Miscellaneous.**—The terms and conditions for admitting Programme Transmissions (Voice Casts) shall be as prescribed by the Central Government from time to time."

[No. 29-5/62-PHT.]

DINSHAW F. D. JOSHI,
Director of Telephone Traffic.

MINISTRY OF WORKS, HOUSING & SUPPLY

New Delhi, the 27th June 1962

S.O. 2079.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958), the Central Government hereby makes the following amendment in the notification to the Government of India in the Ministry of Works, Housing and Supply No. S.O. 2713, dated the 3rd November, 1961, namely:—

In the table below the said notification, for the entry in column 1 against Serial No. 13(c), substitute the words "Divisional Engineer Phones, New Delhi, incharge of the buildings of the Delhi Telephones District" for the words "General Manager Telephones, New Delhi".

[No. 24/1/62-EEH(ii).]

K. SRINIVASAN, Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 27th June 1962

S.O. 2080.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 or 1954), the Central Government hereby appoints Shri Rattan Singh, Assistant Settlement Commissioner in the office of the Regional Settlement Commissioner, Bombay, as Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took over charge of his post.

[No. 5(8)/ARG/62.]

S.O. 2081.—In exercise of the powers conferred by Sub-Section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government hereby appoints for the Union Territory of Delhi, Shri B. S. Pradhan, Assistant Managing Officer in the office of the Regional Settlement Commissioner, Delhi as Assistant Custodian for the purpose of discharging the duties imposed on the Custodian by or under the said Act with immediate effect.

[No. 7(27)ARG/60.]

S.O. 2082.—In exercise of the powers conferred by Clause (a) of Sub-Section (2) of Section 16 of the Displaced Persons (Compensation & Rehabilitation) Act 1954 (No. 44 of 1954) and in partial modification of this Ministry's notification of even number dated 30th November, 1961, the Central Government hereby appoints Personal Assistant to the Collector of Ahmedabad district and Resident Deputy Collector of Poona district in place of Collectors of those districts, as Managing Officers for the custody, management and disposal of Compensation Pool within their jurisdiction.

[No. 7(57)ARG/61.]

New Delhi, the 28th June 1962

S.O. 2083.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Claims) Supplementary Act, 1954 (No. 12 of 1954), the Central Govt. hereby appoints Shri Jamiatral Gobindram as Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took charge of his office in the office of the Chief Settlement Commissioner viz. 15th June, 62.

2. The Central Govt. also appoints the said officer as Additional Settlement Commissioner for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the same date.

[No. 6/41/ARG/61.]

S.O. 2084.—In exercise of the powers conferred by Sub-Section (I) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri Jamiatrai Gobindram as Settlement Officer for the purpose of performing the functions assigned to such officers by or under the said Act with effect from the date he took charge of his office.

[No. 6/41/ARG/61.]

KANWAR BAHADUR,

Settlement Commissioner (A) &
Ex-Officio Dy. Secy.

(Department of Rehabilitation)
(Office of the Chief Settlement Commissioner)

ORDER

New Delhi, the 27th June, 1962.

S.O. 2085.—In the order issued in pursuance of rule 76-A, of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, vide Notification No. F. 15 (27) Policy-160-Comp. dated the 16th January, 1961, for the words and figures "30th June, 1962", the words and figures "31st December, 1962", may be substituted.

[No. F. 15 (27) /Policy-I/60-Comp. & Prop.]

S. W. SHIVESHWARKAR, Jt. Secy.

(Department of Rehabilitation)
(Office of the Chief Settlement Commissioner)

ORDER

New Delhi, the 28th June 1962

S.O. 2086.—In exercise of the powers conferred upon me by sub-section (1) of Section 8 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), I, S. W. Shiveshwarkar I.C.S., Chief Settlement Commissioner, do hereby authorise Shri D. S. Sharda, Assistant Settlement Officer, Rohtak to make payment of Compensation to displaced persons out of the compensation pool, by transfer of allotable property or otherwise in accordance with the provisions of the Displaced Persons (Compensation & Rehabilitation) Rules, 1955.

[No. 4(3) Comp.&Prop./62]

S. W. SHIVESHWARKAR,

Chief Settlement Commissioner.

(Department of Rehabilitation)
(Office of the Regional Settlement Commissioner)

ORDER

Bombay, the 7th June 1962

S.O. 2087.—In exercise of the powers conferred upon me by Sub-Section (3) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 I, J. S. Bajaj, Regional Settlement Commissioner, Bombay hereby delegate my powers of the Settlement Commissioner for hearing and deciding appeals, which are entertainable by me under Section 22 of the said Act, to Shri Tikamdas Gehlmal, Settlement Officer.

[No. F. 29(2)/ADMN/26626-54/62.]

J. S. BAJAJ,

Regional Settlement Commissioner,
Bombay.

MINISTRY OF IRRIGATION AND POWER**CORRIGENDUM***New Delhi, the 26th June 1962*

S.O. 2088.—In this Ministry's Notification No. EL.II-8(3)/62, dated the 20th June, 1962, for "Shri N. N. Chakravarti, Project Administration, Tarapur, Atomic Power Project, Bombay", read "Shri M. N. Chakravarti, Project Administrator, Tarapur Atomic Power Project, Bombay."

[No. EL.II-8(3)/62.]

N. S. VASANT,
Officer on Special Duty.

MINISTRY OF LABOUR AND EMPLOYMENT*New Delhi, the 28th June, 1962*

S.O. 2089.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Colliery Hospital Belampalli of Singareni Collieries Company Limited and their workmen

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No. CGIT-4 OF 1962

PARTIES:

Employers in relation to the Colliery Hospital, Belampalli of Singareni Collieries Company Ltd.,

AND
their workmen.

PRESENT:

Shri Salim M. Merchant, B.A., LL.B., Presiding Officer:

*Dated: Bombay, 13th June 1962***APPEARANCES:**

For the employers:—Shri M. S. Suryanarayan, Advocate, with Shri M. Shyam Mohan, Deputy Personnel Manager, Singareni Collieries Company Ltd.

For the workmen:—Shri D. H. Dharap, Pleader, instructed by Shri S. Nagiah Reddy, President, Tandur Coal Mines Labour Union.

STATE: Andhra Pradesh**INDUSTRY:** Coal.**AWARD**

The Central Government by the Ministry of Labour and Employment's Order No. 2/235/61-LRII dated 25th January 1962, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to refer the industrial dispute between the parties above named in respect of the subject matter specified in the following schedule to the said order to me for adjudication:—

SCHEDULE

"Whether the punishment of suspension inflicted on Shrimati G. Sarojini, nurse, and her transfer from Belampalli to Ramagudam is justified; if not, to what relief is she entitled?"

2. After the parties had filed their written statements, the dispute was fixed for hearing at Bombay on 11th June 1962 when, after the parties had made their submissions in full, on a suggestion from me, they reached a settlement in this dispute as per the terms specified in their joint application dated 11th June 1962, and have prayed that an award be made in terms thereof. A copy of the joint application of the parties is annexed hereto and marked annexure 'A'. As, on the facts and circumstances of the case, I am satisfied that this is a fair and reasonable settlement

I accept the same and make an award in terms of the joint application of the parties dated 11th June 1962 (annexure 'A'), which shall form part of this Award.

No order as to costs.

Sd/- SALIM M. MERCHANT,
Presiding Officer.

Central Government Industrial Tribunal, Bombay.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No. CGIT-4 of 1962.

PARTIES:

Employers in relation to the Colliery Hospital, Belampalli of Sinzareni Collieries Company Ltd.,

AND

their workmen.

May it please the Tribunal,

We, the parties, have reached a settlement in this dispute on the following terms and pray that an award be made in terms thereof:—

1. Smt. Grace Sarojini will be transferred as a nurse to the Colliery Hospital at Kothagudam or Ellandu at the discretion of the management with effect from 1st July, 1962.
2. Her failure to report for duty at the hospital to which she may be transferred by the management by 1st July 1962 will amount to her having accepted termination of her services.
3. The period of her absence between 24th April 1961 and 30th June 1962 will be treated as on leave without pay.
4. Smt. Grace Sarojini will be entitled to the benefit of continuity of service.
5. The management has agreed on the suggestion of the Tribunal, to make an *ex-gratia* payment of three months' wages for the months of May, June and July 1961 (basic pay plus dearness allowance) calculated on the basis of the pay drawn by her in March 1961. This payment should be made to Smt. Grace Sarojini on or before 25th June 1962. Both parties will bear their own costs.

Dated at Bombay this 11th day of June 1962

For the employers.

Sd/- M. S. SURYANARAYAN,
Advocate,

Sd/- M. SHYAM MOHAN,
Deputy Personnel Manager,

For the workmen.

Sd/- D. H. DHARAP,
Pleader.

Sd/- S. NAGIAH REDDY,
President,
Tandur Coal Mines Labour Union.

Before me.

Sd/- SALIM M. MERCHANT,
Presiding Officer.

Central Govt. Industrial Tribunal, Bombay.
11-6-62.

[No. 2/235/61-LR.II.]

New Delhi, the 30th June, 1962.

S.O. 2090.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Patna, in the industrial dispute between the employers in relation to Messrs Amar Singh Gowamal and Sons, Tisra Colliery, Jharia and their workmen.

BEFORE SHRI H. K. CHAUDHURI, PRESIDING OFFICER, CENTRAL GOVT., INDUSTRIAL TRIBUNAL, PATNA.

REFERENCE No. 21 of 1962, 13/C/1962.

Employers in relation to the M/s. Amar Singh Gowamal, and Sons Tisra Colliery, Jharia.

AND

Their Workmen.

For the Management.—Shri D. Narsingh, Advocate.

For the Workmen.—Shri Shankar Bose, Member, Central Executive Committee of Colliery Mazdoor Sangh, Dhanbad.

AWARD.

Dated the 6th June, 1962

Under Notification No. 2/239/61-LRII, dated the 1st January, 1962, the Government of India in the Ministry of Labour and Employment, referred this industrial dispute between the employers in relation to M/s. Amar Singh Gowamal and Sons, Tisra Colliery and their workmen to this Tribunal for adjudication. The specific matter in dispute is as follows:

"Whether the dismissal of Shri Kanai Kewat, fireman, by the management of Tisra Colliery of M/s. Amar Singh Gowamal and Sons, P.O. Jharia, District Dhanbad, was justified. If not, to what relief is he entitled?"

2. Kanai Kewat, the workman involved in this case, was employed as a fireman in the aforesaid colliery and was in charge of one of the two boilers there. On the 7th September, 1961, the management, on receipt of a report from the fitter incharge that the workman had been found sleeping in the engine room on the previous night away from his duty post, issued a charge-sheet against him. The workman in his explanation dated 12th September, 1961, challenged the allegation. The management thereupon referred the case to the Works Committee. The Works Committee on a consideration of the evidence found the charge to be correct and recommended as follows:

"It is hereby resolved that if Sri Kanai Kewat tenders a letter of apology and if he promises to be more attentive to his duty in future he may be permitted to resume his duties with a strict warning that any such negligence or default of duty in future will make him liable for dismissal."

A copy of this resolution was forwarded to the workman on 23rd September, 1961, with a note that the management had agreed to accept the recommendation of the Works Committee. Kanai Kewat, however, did not send any letter of apology or give any undertaking to be more attentive to his duty in future. He did not join his duties either. Instead an unsigned letter dated 4th October, 1961, was received from him in which it was stated that the decision of the Works Committee was not in accordance with law and that the workman should be allowed to continue his duties with full wages for the entire period of his forced idleness. On 13th October, 1961, the management sent a letter to Kanai Kewat stating that although he had been advised to report for duty pending disposal of the charge-sheet issued against him he had failed to do so and so a fresh direction was being given to him to report for duty immediately pending disposal of the charge-sheet. The letter contained a warning that unless the workman joined his duties the management will have no alternative but to proceed with the enquiry. Their is a note at the bottom of the office copy of this letter to the effect that the contents of the letter had been read out and explained to the workman but he refused to accept the same. The direction contained in this letter was not complied with. Thereupon the management issued another letter on 20th October, 1961, fixing 24th October, 1961, for holding the enquiry. The workman did not appear on the date fixed whereupon the enquiry was adjourned to 26th October, 1961. On that date also Kanai Kewat did not appear whereupon the Manager proceeded with the enquiry in his absence. The evidence of three witnesses was recorded. On the next day, i.e., on 27th October, 1961, the Manager recorded the following order:

"I have carefully considered the evidence and am of opinion that the said Sri Kanai Kewat, fireman is guilty of misconduct, having been found sleeping on duty. I, therefore, recommend that he be removed from service without any further reference.
For orders by the authorised owner".

The proprietors agreed with this report and dismissed the the workman under their letter dated the 27th October, 1961.

3. The contention of the workman is that the charge framed against him was unfounded. He has also made a grievance that the management was not justified in holding an *ex parte* enquiry since he had no notice of the date of enquiry, the letter communicating the date having been received by him on 25th October, 1961. It is alleged that the whole proceeding was *mala fide* in as much as the management entertained an animus against the workman for his trade union activities.

4. The management on the other hand contends that the charge against the workman was adequately proved. As to the enquiry it is stated that the workman was fully aware of the date. It is denied that the workman was proceeded against for his trade union activities.

5. The workman's contention that he was not aware of the date fixed of enquiry seems to be without any substance. It is no doubt true that the letter dated the 20th October, 1961, (Ext. 6) was received by him on the 25th October, 1961, but the evidence of the Manager shows that the contents of the letter had been duly communicated and explained to him at the office on 20th October, 1961. This statement is confirmed by the endorsement at the bottom of the letter (Ext. 6/a) which is to this effect:—

"The contents of the letter were read over and explained to Shri Kanai Kewat and the open letter was offered to him. He refused to accept it and asked to send it by registered post".

It was in these circumstances that the Manager ordered that the letter should be sent to him by registered post which was done. As against this evidence we have the bare denial of Kanai Kewat which is not at all convincing. If Kanai Kewat had any intention of participating in the enquiry he could have appeared in the office on 25th October, 1961, or on the next day to enquire as to what had been done about the enquiry or whether the enquiry had been held at all. His conduct from beginning to end was one of complete non-cooperation with the management. The evidence shows that all the earlier letters had also been offered to the workman personally but he always insisted that they should be sent by post. After the resolution of the Works Committee he was asked to report for duty but he failed to do so. This is proved by the letter Ext. 5, dated 13th October, 1961. That the contents of this letter were communicated to him personally on 13th October, 1961, is also proved by the endorsement Ext. 5/a. I am, therefore, satisfied that the workman was fully aware of the date of enquiry and that he deliberately avoided appearing in that enquiry. The management was, in the circumstances, justified in proceeding with the enquiry *ex-parte*. The papers relating to the enquiry have all been produced before me and there is not nothing to show that the enquiry was unfair. I hold that the enquiry was fair and *bona fide* and that the evidence fully justified the finding that the charge had been proved.

6. In this court the union has challenged the finding as incorrect. This contention, in view of the facts narrated above, does not deserve serious consideration. It is worthy of note that the management was prepared to offer all the witnesses examined during the enquiry for cross-examination here but the offer was declined. The fitter incharge who found the workman asleep in the engine room during duty hours has been examined before me. His evidence is that after repairing a pump which had gone out of order that night he went to Pit No. 2, with Guhiram, Overman incharge. At Pit No. 2 he heard bells indicating that steam was required underground. Thereupon he went near the boilers to enquire about it. He found one of the firemen on duty at one of the two boilers. Kanai Kewat, the fireman of the other boiler, was not found at his post. The witness asked the other fireman as to where Kanai Kewat had gone and was told that Kanai had gone to the engine house. The witness along with the overman incharge thereupon went to the engine house and found Kanai Kewat sleeping there. The witness roused him from sleep and sent him away to the boiler. Next morning he reported the incident to the Manager. The evidence of Kanai Kewat is that on that night he had done duty in the afternoon shift till mid-night and was doing duty also in the night shift. It is said that while on duty he felt pain in the waist and sat at some distance from the boiler with his head drooping. While he was in that condition the overman incharge is said to have come there. He denies that the fitter incharge had accompanied the overman incharge. In cross-examination he stated that since he had done the previous shift also he was tired and fatigued and hence he took some rest sitting near the engine but had not actually fallen asleep. In my opinion this evidence is not impressive. The facts that he was tired and fatigued and that he was resting near the engine house support to a considerable extent the evidence of the fitter incharge that the workman was found asleep and had to be aroused from his sleep. The denial of the workman as to the presence of the fitter incharge at the time seems to be frivolous. If only the overman incharge was there the management could well have acted on his report alone. I have, therefore, no doubt that the finding of guilt arrived at by the management is justified by the evidence on record.

7. Mr. Bose, arguing on behalf of the workman, submitted that the workman was entitled to take some rest after five hours' continuous work under Section 30(2) of the Mines Act. I am unable to give effect to this contention. There is nothing to show that he had not had the required rest in the previous shift. The workman did not make any statement on the point. On behalf of the management it is pointed out that this is completely a new plea and should not be allowed to be taken. It is submitted that if this plea had been taken the management could have produced the necessary papers to show that by virtue of the exemption granted by the authorities Section 30(2) of the Mines Act, was not applicable to this category of workers. The contention is well-founded and must prevail. I hold that Section 30(2) of the Mines Act is of no assistance to the workman. Under Regulation 38(6) of the Coal Mines Regulation, 1957, sleeping during duty hours is strictly prohibited. It was a serious misconduct and the management was quite justified in taking disciplinary action against the workman.

8. It was finally argued that there has been violation of natural justice in the case inasmuch as the Manager who conducted the enquiry was himself the judge. Reliance in this connection is placed on the authority reported in 1955 II L.L.J. 517. That case, however, is clearly distinguishable. That was a case of a departmental enquiry against a subordinate police officer. The Superintendent of Police, who held the enquiry in that case, had himself given evidence in the course of that enquiry thereby becoming the judge of his own evidence. It was in these circumstances that the proceeding was held to have violated the principles of natural justice. In the present case, however, the Manager did not import any personal knowledge in the enquiry nor was he a witness himself. All that he did was to hold the enquiry qua manager, examine witnesses and submit his report to the proprietors. The final orders were passed by the proprietors themselves. I am unable to hold that the principle of natural justice was violated in this case at any stage.

9. As regards the allegation of victimisation it appears to be quite irrelevant in view of the very clear evidence of guilt of the workman. Assuming that the workman was an organiser of the trade union there it cannot be said that the management bore any ill-will towards him. The conduct of the management in referring the case at the first instance to the Works Committee and its proposal not to inflict any punishment if the workman only offered an apology are a complete refutation of this charge.

10. In the result I hold that the dismissal of the workman was fully justified. No question of giving him any relief, therefore, arises.

11. I make my award accordingly. There will be no order as to costs.

Sd./- H. K. CHAUDHURI,
Presiding Officer,
Industrial Tribunal, Patna.
6-6-62.

Recorded at my dictation & corrected by me.

H. K. CHAUDHURI,
P.O., I.T., Patna,
6-6-62.

[No. 2/239/61-LRII.]

S.O. 2091.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Jhagrakhand Collieries Limited and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, DHANBAD.

REFERENCE No. 73 OF 1961

PARTIES:

Employers in relation to the Jhagrakhand Collieries Limited
AND
their workmen.

PRESENT:

Shri Salim M. Merchant—*Presiding Officer.*
Camp: Bombay, dated 20th June 1962

APPEARANCES:

For the employers—Counsel Shri A. S. Masud, Barrister-at-Law instructed by Shri T. N. Lahiri, Assistant Secretary of the company.

For the workmen—Shri Gulab Gupta, Vice-President, Chhattisgarh Colliery Workers' Federation.

STATE: Madhya Pradesh.

INDUSTRY—Coal Mining.

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 4/38/61-LRII dated 25th September 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Act 14 of 1947), was pleased to refer to me for adjudication the industrial dispute between the parties above named in respect of the matters specified in the following schedule to the said order:—

SCHEDULE

"Whether consequent on the award of the Industrial Tribunal, Dhanbad, published in the Notification of the Government of India in the late Ministry of Labour No. S.R.O. 655 dated the 5th March, 1956 in the Gazette of India, Part II, section 3, dated the 17th March, 1956, granting increase in wages of the workmen of the Jhagrakhand Collieries, the workmen are also entitled to a proportionate increase in Dearness Allowance and Bonus?"

2. After this reference was made and the usual notices were issued on the parties, Shri Gulab Gupta, Vice-President of the Chhattisgarh Colliery Workers' Federation (hereinafter referred to as the Union), representing the workmen, filed the statement of claim on 15th October 1961 to which the Jhagrakhand Collieries Ltd. (hereinafter referred to as the Company) filed its written statement in reply dated 19th March 1962 in which it has raised various contentions, both legal and on the merits, attacking the validity and maintainability of the claim under reference. The dispute was thereafter, for the convenience of the parties, heard at Calcutta in April, 1962.

3. I may here state that the company owns three coal mines viz., North Jhagrakhand Colliery, South Jhagrakhand Colliery and West Jhagrakhand Colliery and it is admitted that the demand is made in respect of the workmen in all these three collieries.

4. In order to appreciate the various contentions urged by the employers it is necessary to give a brief account of events leading up to the award of the Industrial Tribunal, Dhanbad published on 17th March 1956, which has been referred to in the order of reference, and to the raising of the present dispute.

5. The Central Government by an Order dated 6th June 1955, made in exercise of the powers conferred by section 10(1)(c) of the Industrial Disputes Act, 1947 (Act 14 of 1947), was pleased to refer the industrial dispute between this company and its workmen, in respect of the subject matter specified in the following schedule to the said order for adjudication to the Industrial Tribunal at Dhanbad:—

SCHEDULE

"Are the workmen of the Jhagrakhand Collieries, who were not entitled to any increase in wages under para 1 of the Notification issued by the Korea State Government, dated the 15th November, 1947, entitled to any increase in wages in accordance with paragraph 2 thereof and if so to what extent and from which date such increase should be allowed?"

This reference was numbered by the Dhanbad Tribunal as Reference No. 11 of 1955, and Shri P. S. Bindra, the then Chairman of the Industrial Tribunal at Dhanbad, made his award in that dispute dated 14th February 1956, which was published in the Government of India Gazette on 17th March 1956. I shall hereinafter refer to this Award as the Bindra Award. By the said award Shri Bindra held that the reference made by the Government to him was independent of the Korea Award as it had been made under section 10(1)(c) of the Industrial Disputes Act, (Act XIV of 1947) and was therefore, enforceable under section 17A of the Act and on the merits he held that all the workmen not covered by para 1 of the Korea Award whose basic pay did not exceed Rs. 30/- per mensem as on 1st January 1947 were entitled to an increase of 12½% in their basic pay and in the case of workmen drawing higher salaries he granted certain percentage increases in their basic pay with a fixed minimum increase. In the case of workmen drawing not more than Rs. 30/- per mensem as on 1st November 1947, Shri Bindra allowed increases in basic pay with effect from 1st November 1947 and in the case of workmen drawing more than Rs. 30/- per month as basic pay as on 1st November 1947, he allowed increases with effect from 27th September 1952. The learned Tribunal fixed this latter date because he held that it was on this date that the demand for increase in wages was expressly made by the workmen. The Tribunal further directed that the arrears should be paid within six months of the publication of its award.

6. It is also necessary to refer to the notification of the Korea State Government dated 15th November 1947, which had been referred to in the schedule to the order of reference dated 6th June 1955 in Reference No. 11 of 1955. All these three coal mines of the company are situated in an area that once formed part of the Indian State of Korea and the notification of 15th November 1947 was issued by the Chief Minister of Korea State for the purpose of assuring minimum wages to colliery workers. The notification began with a recital that there had been a general rise in the prices of essential commodities which necessitated positive policy to bring about an improvement in the conditions of workers in the coal mining industry. It further referred to the fact that wages of colliery workers had been increased in the coalfields of Bengal, Bihar and Orissa, Central Provinces and Berar and that such increase was bound to have repercussions on the coalfields of Korea State. That is the reason why that notification was issued. Clause (1) of that notification prescribed the minimum basic wages which had to be paid to workers for an 8 hours shift. Clause (2) of the Korea Award provided as follows:—

"Any class of employees not entitled for any increase in wages under the provision given above may be granted an increase of 12½% in their basic pay."

Clauses (3) and (4) dealt with dearness allowance and prescribed the minimum payment in that behalf. Clauses 3 and 4 were as follows:—

3. "Dearness allowance—

- (a) All the above categories of labour will get a Dearness Allowance at a rate of 100 per cent over the abovementioned Basic Wages. In case the 100% Dearness Allowance falls short of Rs. 11/4/- per month, then Rs. 11/4/- will be the minimum payable.

4. Dearness allowance to all surface and underground workers drawing Re. 1/- or below per day as new basic wages and of other workers and staff drawing up to Rs. 30 per month shall be 100 per cent with the minimum of Rs. 11/4/- per month.

For those drawing from	D.A.	Minimum
Rs. 31 to Rs. 100 per month	66-2/3%	Rs. 30 p.m.
Rs. 101 to Rs. 300 per month	40%	Rs. 66-10-0 p.m.

Those employees getting between Rs. 300 and Rs. 420 will be given a dearness allowance so that their pay and dearness allowance comes to Rs. 420 p.m.

7. I may here state that it was admitted at the hearing that this company paid its workmen dearness allowance at these rates till the Majumdar Award came

into force with effect from 26th May 1956 and this is also borne out by the company's statement of dearness allowance (exhibit E-10). Clauses (5) and (6) of the Notification dealt with lead and lift, explosives, shovels and their like, clause (7) with foodstuffs, clause (8) dealt with the payment of bonuses, clause (9) dealt with compulsory contributory provident fund and clause (10) provides for the liability of the employers for disbursement of wages. The last clause of the Korea Notification laid down that the order shall apply retrospectively with effect from 1st November 1947. (See 1960 II LLJ page 73).

8. As in previous adjudications and in the proceedings before the Labour Appellate Tribunal, the Patna High Court and the Hon'ble Supreme Court this notification of the Korea State, dated 15th November 1947 has been referred to as the Korea Award, I too shall refer to it as such.

9. But to continue, from the award of Shri Bindra in Reference No. 11 of 1955, the workers went up in appeal to the Hon'ble Labour Appellate Tribunal at Bombay, (being appeal No. 139 of 1956), which, by its decision dated 13th May 1958 conformed the wage structure evolved by the Tribunal, but directed that the increases allowed by the new wage structure should be retrospective in respect of all the employees as from 1st November 1947. This was one modification made by the Labour Appellate Tribunal in favour of the workmen. The other modification made was that the new wage structure was extended to employees who joined the services of the collieries of this company even after 1st November 1947.

10. It appears that as soon as the Bindra Award was made, the employers applied to the High Court of Patna for a writ of certiorari quashing the award. In those proceedings the employers challenged the validity of the Korea Award. The High Court took the view that the question about the validity of the Korea Award was not included in the reference and the observations made by the Tribunal in that behalf were no more than obiter. According to the Patna High Court what the Tribunal had been called upon to decide was the question of the construction of clause (2) of the Korea Award and according to their Lordships of the Patna High Court the Tribunal had properly decided this question. It was also urged before the Patna High Court that the Tribunal had failed to consider the fact that the appellants, i.e. the company had given special increments to the workmen concerned. Their Lordships of the Patna High Court were not impressed by this plea and they held that such a plea could not sustain a claim for a writ of certiorari under Article 228 of the Constitution. The writ petition of employers was, therefore, dismissed by the Patna High Court on 3rd March, 1957.

11. Now, against this decision of the Patna High Court the company went up in appeal to the Hon'ble Supreme Court of India, being Special Civil Appeal No. 88/58. Later the company also filed an appeal to the Hon'ble Supreme Court from the decision of the Labour Appellate Tribunal and that appeal was numbered as Civil Appeal No. 40/1959. By a common judgment in both these appeals dated 15th February 1960, the Hon'ble Supreme Court rejected Appeal No. 88 of 1958 and partially allowed Appeal No. 40 of 1959, inasmuch as it set aside the direction of the Labour Appellate Tribunal making the award retrospective from 1st November 1947 in respect of employees receiving more than Rs. 30 as monthly basic wage, as on 1st November 1947, and the original award on the point as made by Shri Bindra fixing the retrospective effect from 27th September 1952, was restored. The Hon'ble Supreme Court directed that payment under its judgment should be made within a month of the date of its judgment.

12. Upon pronouncement of the judgment of the Supreme Court, dated 15th February 1960, the Vice President of the Union on 15th March 1960 addressed a letter to the Managing Director, with a copy to the Agent and Mining Engineer of the company, asking for particulars of the payments to be made to the workmen under that judgment. The Managing Director of the company by his letter dated 22nd March 1960 informed the union that because of the large number of workmen covered by the decision and the long past period involved it would take some time to complete the calculations and prepare the pay sheets and that as soon as they were ready payments would be made to the workmen concerned in accordance with the judgment of the Supreme Court. It appears that, thereafter, the company made payments of what it felt was due to the workmen and took receipts in full and final payment from them. Coming to learn of this the Secretary of the North and West Jhagrakhand Collieries' branch of the union by his letter dated 21st April 1960 addressed to the Agent and Mining Engineer of the company strongly protested against the payment of arrears without the union

having been supplied with a copy of the payment sheets for its verification. It requested the Agent to stop payment and to furnish a copy of the payment calculations. To this the Agent of the Colliery, Mr. R. Hearn, replied on 22nd April 1960 stating that as he had received only one copy of the bill for each colliery he had no copy to spare for the union and went on to add that he was under no obligation to make out copies of all these bills. By a letter dated 25th April 1960, the Secretary of the West and North Jhagrakhand Collieries' Branch union wrote to the Agent and Mining Engineer pointing out *inter alia* that it had been reported to him that the company had prepared bills for payment to the workers under the Supreme Court's judgment excluding dearness allowance, bonus, leave salary and dues by way of interest and he pointed out that that was in violation of the Supreme Court's judgment. He, therefore, requested the Agent to correct the bills properly by including payments by way of dearness allowance, bonus, leave salary and interest and to send a copy for verification to the union. On 3rd May 1960 the Agent of the Collieries appears to have written to the union stating that the payments offered were in full implementation of the judgment of the Supreme Court. To this the Union Secretary by his letter dated 6th May 1960 replied stating that the calculations and payments made by the company were not correct and that all those workmen who were not covered by para 1 of the Korea Award were entitled to basic pay as fixed by the judgment of the Supreme Court and dearness allowance and bonus calculated on the basis of such basic pay, as also leave salary and interest. He also claimed that certain categories of workmen entitled to payment had not been included in the statements prepared by the management and he called upon the management to make proper payments. To this, Mr. Hearn, the Mining Agent, replied by his letter dated 20th May 1960 in which after denying liability to make any payment to weekly paid workmen who are daily rated and certain workmen who had been locked out pending permission of the Tribunal for dismissal for acts of misconduct, he for the first time, stated that the Award or the Supreme Court's judgment had nowhere directed payment of dearness allowance, bonus, etc. He further stated that payment of interest did not arise as the appeal was partly allowed and the Supreme Court directed that the parties would bear their own expenses. To this the Secretary of the Union replied by his letter No. ORG/MGKD/5/60 stating that when the basic pay was increased by the Bindra award and the Supreme Court's judgment, the dearness allowance and bonus payment would automatically also increase as they were linked with the basic pay. Thereafter, on 16th June 1960 Shri Gulab Gupta, the Vice-President of the Chhattisgarh Colliery Workers' Federation, wrote to the Agent of the Collieries stating that as already communicated the union did not accept the method of calculations which the company had adopted. He considered it a violation of the award and he protested against the officers of the collieries forcing the workmen to accept the payments offered by the company and warned that payments if made to the workmen and accepted by them would not be binding on the union as correct payment in terms of the award. To this letter Mr. Hearn replied by his letter dated 28th June 1960 stating that the company had correctly implemented the award and the judgment of the Supreme Court and there was no violation thereof; that the workmen had accepted the payment offered to them in full satisfaction. He denied that the officers of the company were forcing the workmen to accept payment and he went on to allege that the union officials were preventing the workmen from taking payment and that the workmen had been ready to accept payment in full satisfaction. This correspondence has been filed by the union and has been collectively marked as exhibit W-1.

13. It appears that thereafter on 25th August 1960, the President of the Union, Shri R. L. Malaviya, M.P., wrote a letter to the Joint Secretary, Ministry of Labour and Employment, New Delhi, drawing his attention to the non-implementation by the company of the judgment of the Supreme Court. He concluded the letter by requesting the Government to appoint a high grade officer to examine the question and to see that the workmen were paid their dues in terms of the judgment of the Supreme Court. It appears that in the meantime the Labour Ministry had appointed a special officer, one Shri A. M. Joshi, Regional Labour Commissioner (Central) for implementation of the awards relating to the coal mines. Thereupon, Shri Joshi on 5th September 1960 addressed a letter to the Manager, Jhagrakhand Collieries Ltd., enclosing a copy of Shri Malaviya's letter of 25th August 1960 and intimated that he would be visiting the collieries on 21st September 1960 to conduct an enquiry into the matter and he requested the management to remain present for a discussion with him with all the relevant papers. It appears that thereafter Shri Joshi visited the collieries and held discussions with the parties on the 5th and 6th October 1960. The minutes of the

discussions then held were drawn up and recorded and a copy of the same has been filed by the management in these proceedings as exhibit E-3. Before Shri Joshi both parties reiterated the position which they had taken up in the earlier correspondence (exhibit W-1) with regard to the subject matters under reference viz., dearness allowance and bonus. The company's position regarding dearness allowance was that it had not been awarded by the Bindra Award or by the judgment of the Supreme Court and that it did not call for payment. It argued that the payments under the award were not due under the Korea Notification but under the award in the adjudication proceedings in an industrial dispute referred by Government to the Tribunal under section 10(1)(c) of the Industrial Disputes Act, 1947 and, therefore, the provisions of the Korea Notification regarding dearness allowance and bonus did not apply and were irrelevant. Regarding bonus also the management argued that it was not covered by the Bindra Award or the judgment of the Supreme Court. It further urged that the provision of bonus in the Korea Notification was irrelevant and that with regard to the payment of bonus under the Coal Mines Bonus Scheme which had been extended to the Korea Coalfields on 1st January 1950 it did not apply to the payments to be made under the Bindra Award. The parties, however, appear to have agreed before Shri Joshi to make further efforts to resolve the dispute mutually and it was agreed that certain statements should be prepared and exchanged by the parties after which joint discussions would be held and the result of the efforts would be communicated to Shri Joshi. Thereafter, on 14th October 1960, the Vice-President of the Union, Shri Gulab Gupta, forwarded to the Agent a complete list of claimants under the Supreme Court's decision dated 15th February 1960 in respect of the workmen in the North, South and West Jhagrakhand Collieries. He asked Mr. Hearn to arrange to make the necessary payments and return a copy within a month to him. To this the management replied by its letter dated 31st December 1960 stating that there were many discrepancies and inaccuracies in the statements filed by the union along with its letter to Mr. Hearn, and that the union had put in claims in respect many more workmen than originally communicated by it. In returning the sheets submitted by the union along with his remarks thereon, the agent of the collieries asked the President of the union to let him know when it would be most convenient for him to hold a joint discussion within 15 days as agreed on 6th October 1960 before Shri A. M. Joshi. Copies of these letters were endorsed by the company to Shri Joshi. Nothing appears to have transpired thereafter till Shri Joshi wrote on 29th March 1961 to the Secretary of the Jhagrakhand Collieries requesting to let him know the outcome of the mutual negotiations between the parties which they had agreed to hold. To this, the Secretary of the company replied by his letter dated 7th December 1961 stating that the company had not heard anything in reply to its letter of 31st December 1960 addressed to the Vice-President of the Union. It was thereafter that this reference was made by Government on 25th September 1961 in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

14. The union in its written statement of claim dated 15th October, 1961 has, on the basis of the Korea Award and the decision of the Supreme Court dated 15th February, 1960, claimed that on the basis of the increased basic pay granted by the Supreme Court's judgment it was entitled to a proportionate increase in the dearness allowance. With regard to bonus it has claimed that the workmen are entitled to a proportionate increase in bonus both on the basis of the Korea Award and under the Coal Mines Bonus Scheme, 1948, as also the decision of the Supreme Court. It has, therefore, prayed that proportional increases in both dearness allowance and bonus should be granted and that the union should be awarded the costs of this Reference.

15. The company in its written statement in reply dated 19th March, 1962 has raised a number of preliminary legal objections with regard to the maintainability of this reference, and I shall deal first with these objections before proceeding to deal with the company's contentions on the merits of the dispute.

16. The first point urged in the company's written statement is that the subject matter of this reference is not an industrial dispute within the meaning of the Industrial Disputes Act, 1947, as, according to the company, it involves an interpretation of the award of Shri P. S. Bindra in Reference No. 11 of 1955 referred to above, and it therefore, contends that as such no reference apart from Section 36A of the Industrial Disputes Act is permissible and valid in law. I am of the opinion that this contention has no substance. The demand under reference is for payment of proportionate amount of dearness allowance and bonus on the basic wages awarded by the Bindra Award as confirmed by the Supreme Court in

its judgment dated 15th February, 1960. A reference under section 36A of the Act, is made when in the opinion of the appropriate Government, any difficulty or doubt arises as to the interpretation of any provision of an award or settlement. In this case there could be no doubt or difficulty about the interpretation of the Bindra Award on the question of payment of dearness allowance and bonus because those two questions were really not referred to that Tribunal, and the Bindra Award does not cover those issues at all. In my opinion, the subject matter of this reference is a matter connected with an industrial dispute as defined by section 2(k) of the Industrial Disputes Act because it is a dispute with regard to a difference between the employers and the employees in connection with the term of employment of these workmen regarding the payment of proportionate increase in dearness allowance and bonus to them on the increase in basic wages granted to them by the Bindra Award. From the facts giving rise to the dispute as narrated above it is quite clear that there is a dispute or difference between the employers in relation to the three collieries of this company and its workmen with regard to the proportionate increase in bonus and dearness allowance they are entitled to receive; the workmen claim that they are entitled to proportionate increase in dearness allowance and bonus on the basis of the increased basic wages granted to them under the Bindra Award as confirmed by the decision of the Supreme Court dated 15th February, 1960, and the company denies this claim and states that the dearness allowance and bonus are to be paid only on the basis of the basic wages, prior to their enhancement by the Bindra Award and the judgment of the Supreme Court, and in my opinion this is clearly an industrial dispute as defined by Section 2(k) of the Industrial Disputes Act, which has validly been referred to this Tribunal.

17. The next objection urged by the company in its written statement is that the present reference is invalid as at no time prior to this order of reference any such dispute was raised. I am rather surprised at this contention as from the correspondence which passed between the parties (exhibit W-1) to which I have referred in detail earlier and the minutes of the discussions held by the Regional Labour Commissioner (Central) Implementation, Shri A. M. Joshi, on the 5th and 6th October 1960 (Ex. E-3) it is quite clear that the union had demanded that the workmen of these three collieries were entitled to a proportionate increase in the dearness allowance and bonus due to them on the basis of the increased basic wages awarded to them by the Bindra Award and the judgment of the Supreme Court, and the company had refused this demand. Unquestionably that is the industrial dispute which has been referred to this Tribunal.

18. In the written statement the company had raised a contention that the reference was bad because no proper conciliation proceedings had taken place, but in my opinion it is not necessary that in all cases before a dispute is referred to adjudication conciliation proceedings must necessarily be held and, Shri Masood, the learned Counsel for the company, fairly conceded this point at the hearing.

19. It is next urged that this dispute is an indirect attempt to revive and extend the Bindra Award far beyond the scope and import of the award itself and as such it is an abuse of the process of law and therefore not maintainable. In my opinion, there is no substance in this contention because, as I have stated earlier, and as I shall show presently, the question of dearness allowance and bonus had not been referred to the Bindra Tribunal at all.

20. The next point urged by Shri Masood is that the present reference is illegal inasmuch it is vitiated by inordinate delay, as the dispute referred covers a period between 1947 and 1956; that this reference is void inasmuch it has no bearing on the existing conditions of employment between the parties and has no reference to any existing or future rights and obligations of the parties; that it is not even a matter relating to the recent past. In my opinion, there is really no substance in this contention which at first sight appears to be plausible. It is true that the demand has reference with regard to the dearness allowance and bonus payable to the workmen of these three collieries for the period from 1947 up till 26th May 1956, after which the Majumdar Award i.e. the award of the All India Industrial Tribunal (Colliery Disputes), has come into force. The demand of the workmen for proportionate increase in dearness allowance and bonus is thus up till 36th May, 1956, when admittedly the Majumdar Award came into force, and its directions regarding basic wages and dearness allowance thereafter governed the payment of dearness allowance and bonus to the workmen of these three collieries. Shri Masood, in support of the contention that this dispute is vitiated by delays has relied upon the observations of the Hon'ble Supreme Court in the cases of the Workmen of Shalimar Works Limited *vs.* Shalimar Works Ltd. (A.I.R. 1959

(S.C.) page 1217 at page 1221—1959 II LLJ p. 26). I am of the opinion that this case cannot help Shri Masood because it related to a reference with regard to the reinstatement of a large number of workmen who had been discharged about four years previously and their Lordships observed that it is only reasonable that the dispute should be referred as soon as possible and on the facts of the case held that the relief of reinstatement ought not to be granted on such a vague and much delayed reference. Their Lordships observed in that case that though no period of limitation is prescribed in the Industrial Disputes Act, the dispute should be referred within a reasonable time. Now, what is reasonable time would depend upon the facts and circumstances of each case. I think Shri Gulab Gupta was right when he pointed out that this demand was made and this dispute was raised when the union came to know after the judgment of the Hon'ble Supreme Court dated 15th February, 1960, that in implementing the directions of that judgment the company was not paying proportionate increases in dearness allowance and bonus to the workmen. It is admitted that payment under the Supreme Court's judgment of 15th February, 1960 had to be made within 30 days thereof. It is clear from the correspondence (Exhibit W-1) that passed between the union and the company that the union as early as on 5th March, 1960 took up the question of the proper payments to the workmen arising out of the Supreme Court's judgment. It is clear from that correspondence that by its letter dated 25th April, 1960, the union made a specific demand for proportionate increase in dearness allowance and bonus upon the basis of the increased basic wages that had been granted by the Bindra Award and confirmed by the Supreme Court. It was only by the company's letter written by its agent, Mr. Hearn, on 20th May, 1960 that the company for the first time denied liability to pay proportionate increase in dearness allowance and bonus on the increased basic wages which had been granted by the Bindra Award and confirmed by the Supreme Court and it was thereupon that this industrial dispute arose. In the circumstances of this case and taking into account the fact that the Hon'ble Supreme Court itself had by its judgment dated 15th February, 1960 in Appeals Nos. 88/1958 and 40 of 1959 allowed claims with retrospective effect from 1st December, 1947 and 27th September, 1952. I do not think that the present reference can be held to be vitiated by inordinate delay particularly as the demand for proportionate increase in dearness allowance and bonus is linked to the increased basic wages granted by the decision of the Supreme Court. The union has also drawn attention to the fact that in the case of another colliery from the Korea coalfield viz., the United Collieries Ltd., the Supreme Court by its decision in Civil Appeal No. 83 of 1960 (1961 II LLJ, p. 75) directed that all employees not covered by clause (1) but covered by clause (2) of the Korea Award, who were drawing upto Rs. 30/- per month and who were in the employment of the company on 1st November, 1947 will be given 12-1/2 per cent increase in their basic wages from 1st November, 1947 to 26th May, 1956; that all such employees drawing above Rs. 30/- as basic pay who were in service on 1st November, 1947, will be given 12-1/2 per cent increase in basic wages from 1st March, 1949. In my opinion, in this case the demand for higher dearness allowance and bonus could not be made till the decision of the Supreme Court in Appeals 88 of 1958 and 40 of 1959 had been given on 15th February, 1960. Taking into account the facts and circumstances of this case, I consider that this reference cannot be said to have been vitiated by long delays or that the dispute can be considered to be void on the ground that it has no bearing on the existing conditions of employment between the parties or to future conditions of service. A dispute can, in certain circumstances, well be raised in regard to the claim of the workmen with regard to the proper conditions of their employment for a past period. In the peculiar circumstances of this case, which stem from the Korea Award of 1947, I am of the opinion that this Reference is valid and not vitiated by long delays and can be adjudicated upon.

21. It was next contended that the demand for dearness allowance was not legally maintainable and did not give rise to an industrial dispute because, to use the language of the company's written statement, "dearness allowance was payable to meet wholly or partially the rise in the cost of purchase during increases prices in the market." It was, therefore, urged that the demand in 1961-62 for additional dearness allowance in 1962 in respect of the rise in the prices of commodities for the period between 1947 and 1956 was fantastic and unreal; that such a fantastic and unreal dispute is never contemplated and would not be within the provisions of the Industrial Disputes Act, 1947. I am of the opinion that this contention is misconceived. The workmen in this dispute are not claiming a higher rate of dearness allowance or a higher rate of payment of bonus than was in force during 1947 to 1956. What they are claiming is that consequent upon the increase in basic wages granted to the workmen by the judgment of the Supreme Court dated

15th February, 1960 confirming the Bindra Award, they were entitled to a proportionate increase in the dearness allowance and bonus payable to them at the rates which were in force in the company during that period. The rate of dearness allowance which was in force in this colliery between 1947 and 1956 has been stated by the company in exhibit E-10 and it is not the unions claim that a higher percentage rate of dearness allowance should be paid than what is stated in exhibit E-10. The only demand it makes is that the rate of dearness allowance stated in exhibit E-10 should be applied to the increased basic wages awarded to them by the Bindra Award and confirmed by the Supreme Court's judgment and that bonus should also be calculated and paid on the basis of the increased basic wages. This contention, therefore, fails and is rejected.

22. Similarly, there is no substance in the company's objection that as since 1st January, 1950 the workmen of this colliery are paid bonus under the Coal Mines Bonus Scheme arising out of the Coal Mines Bonus and Provident Act 1948 there can be no dispute regarding bonus. This contention is again misconceived because the demand is not for making any changes in the rate of bonus payable under the Korea Award or under the Coal Mines Bonus Scheme but is for calculating the bonus payable to the workmen on the basis of the increased basic wages granted to them by the Bindra Award as confirmed by the Supreme Court. This contention also therefore fails and is rejected.

23. Now, with regard to the merits of the dispute the first contention urged by Shri Masood is that the workmen are not entitled to dearness allowance on the increased basic wages granted to them by the Bindra Award because the dispute referred to Shri Bindra was one for wages which must be deemed to have included a demand for increased dearness allowance, because the term "wages" also includes benefit of dearness allowance. The argument of Shri Masood is that the Bindra Award having granted increased basic wages it must be presumed that the Tribunal granted those increased wages taking into account the fact that there was no demand for increased dearness allowance and bonus; in other words that if the Bindra Tribunal had realised that the company would be liable to pay proportionate increase in dearness allowance and in the quantum of bonus on the basis of the increased wages granted by it, it would either not have granted such increases in basic wages at it did or would have granted lesser rates of increase. I am afraid there is no warrant for this suggestion. Both Shri Bindra and the Supreme Court have referred to the provisions of the Korea Award relating to dearness allowance. The scheme of dearness allowance stated in paras 3 and 4 of the Korea Award is virtually the same scheme of dearness allowance which the company had in force since November 1947 uptill May 1956 as stated by it in its statement exhibit E-10. Under this scheme dearness allowance is paid on a percentage rate of the basic wage at least upto the basic wage of Rs. 300 with a fixed minimum. It is inconceivable that the increase in basic wages would have been given without bearing in mind that such increase would also mean proportionate increase in dearness allowance to which the workmen would be entitled. I am, therefore, not prepared to hold that when the Bindra Tribunal granted increased basic wages it meant to imply that proportionate increase in dearness allowance and bonus would not be payable by the company. If that was really the intention of the Bindra Tribunal it could very well have stated that the increased basic wages granted by it would not entitle the workmen to proportionate increase in dearness allowance and bonus.

24. In my opinion as between 1947 and 1956 dearness allowance was payable at a percentage rate of the Basic Wage, with an increase in basic wage the workmen were entitled to a proportionate increase in dearness allowance and also in bonus. Shri Masood has contended that dearness allowance is generally not incidental to wages and for that he has relied upon the decision in the case of B. N. Elias & Co. Ltd., vs. G. P. Mukherjee and others reported at (63 Calcutta Weekly Notes page 347) where it was held on the merits of that case that it was difficult to say that the question of the scale of dearness allowance was a matter incidental to the fixation of grades and scales of pay. What had evidently happened in that case was that the dispute referred to the Tribunal was one with regard to grades and scales of pay and the Tribunal had granted increased dearness allowance holding that the dispute for grades and scales of pay was identical or substantially identical with the demand for increased dearness allowance. Their Lordships of the Calcutta High Court rejected this contention and held that a Tribunal empowered to fix grades and scales of pay should fix the basic pay and not the dearness allowance. I think that case can be easily distinguished on facts from the present case. The scheme of dearness allowance in this company is so linked with the basic wages that an increase in the scale of basic wages would automatically mean higher dearness allowance for the workmen. This is not a case where only the question of basic wage is referred to a Tribunal and increase in dearness allowance is being granted. The increase in dearness

allowance automatically follows upon increased basic wages being awarded, because the scheme of dearness allowance is on a percentage basis of the basic wages.

25. It was next urged by Shri Masood that the company had voluntarily granted certain increments to the workmen in their basic wages and had been paying dearness allowance on the increases so granted. Shri Masood has urged that because the company did not file an appeal against the Bindra Award it has not been given the benefits of these increases. This question was also urged before the Bindra Tribunal which by paragraph 12 of its award stated that the management had no right to set off the increments given by them against the increments awarded by the Tribunal. The company again urged this point in its appeal before the Supreme Court and their Lordships were pleased to observe that the Appellate Tribunal was in error in not taking the grant of increments by the company into account and further stated that the Tribunal should have taken the increments into account in fixing the date from which the awarded increased scales of pay should have come into force. It was for this reason that the Hon'ble Supreme Court altered the retrospective date of the award as fixed by the Labour Appellate Tribunal and made it operative from a later date viz., 27th September 1952, with regard to the basic wages of workmen drawing basic wages as on 1st November 1947, higher than Rs. 30/- per month, and in my present award, I am restricting the payment of proportionate increase in dearness allowance and bonus to this class of employees also from 27th September, 1952.

26. Shri Masood has next argued that the proper remedy for the workmen was under the Payment of Wages Act by making an application to the Payment of Wages Authority. He has in support relied upon the decision of the Patna High Court reported at A.I.R. 1960 Patna page 253—1961 1 LLJ p. 192 (Tata Iron & Steel Co. vs. Puran Singh and others). In that decision their Lordships of the Patna High Court held that the term "bonus" under the Coal Mines Provident Fund and Bonus Scheme, 1948, is within the definition of wages as contained in section 2(vi) of the Payment of Wages Act before its amendment in 1957 and consequently the authority under the Payment of Wages Act was competent to entertain an application under section 15(3) for payment of bonus. Shri Gulab Gupta on the other hand has relied upon the judgment of the Federal Court in the case of Shyamnagar Jute Mill Co. Ltd., vs. Modak and another (A.I.R. 1949 (FC) at page 150) where it was held that the jurisdiction of an Industrial Tribunal is wider and not restricted by the provisions of the Payment of Wages Act. Shri Gulab Gupta, in my opinion, has rightly argued that the decision of the Patna High Court relied upon by Shri Masood does not say that the Tribunal had no jurisdiction to adjudicate upon a demand of the workman for proper bonus which gives rise to an industrial dispute and which the Government in exercise of the powers under section 10 of the Industrial Disputes Act refers to the Tribunal for adjudication. I am of the opinion that this argument of Shri Masood stems from a misconception of the demand under reference. The demand under reference is whether the workmen are entitled to proportionate increased bonus and increased dearness allowance on the increased rates of basic wages awarded by the Bindra Award and the decision of the Supreme Court dated 15-2-1960, and as I have held that this is a question relating to the terms of employment of the workmen, it must be held to be a matter relating to an industrial dispute as defined by section 2(k) of the Industrial Disputes Act, 1947, over the adjudication of which Industrial Dispute this Tribunal has jurisdiction.

It was next urged by Shri Masood that as bonus is payable out of profits and wages arise out of contract, there cannot be any automatic payment of bonus with increase in basic wages. This distinction between bonus and wages has been emphasised in the decision of the Hon'ble Supreme Court in the case of Lipton & Co. (1959 1 LLJ page 431) but here again the proportionate increase claimed by the union is not out of profits as bonuses payable under the Korea Award para 8 are not in any way connected with profits. The Korea Award prescribed payment of two kinds of bonuses (1) attendance bonus equivalent to two months' basic earnings dependant on attendance of 60 (sixty) days in the case of underground workers and 65 (sixty-five) days in the case of surface workers per quarter, drawing basic pay or wages upto Rs. 300/- per month and (2) production bonus (in addition to the attendance bonus) to be contributed by the employer at a rate of Re. 0-5-6 (five annas and six pies) per ton of the total output. Production bonus upto a maximum of two months basic earnings to be paid to all employees who have qualified for attendance bonus. The Korea Award directed that a separate fund for the production bonus shall be started and the balance, if any, after disbursement of payment will be carried forward.

28. Now, the system of payment of these two bonuses under the Korea Award remained in force in this colliery till 31st December 1947 and it was stated at

the hearing that from 1st May 1950 the Coal Mines Bonus Scheme under the Coal Mines Provident Fund and Bonus Schemes Act 1948, became applicable to this colliery, under which also bonus is payable not out of profits but is to be paid equivalent to one month's basic wages per quarter provided during the relevant quarter the workman has put in 54 days attendance in the case of an underground worker and 60 days attendance in the case of surface worker. It may be noted that under the Coal Mines Bonus Scheme there is no system of payment of production bonus or bonus arising out of profits. The payment of bonus under the Coal Mines Bonus Scheme is further conditional upon the workmen not resorting to an illegal strike during the quarter for which bonus is payable.

28A. It is, therefore, clear that neither under the provisions of the Korea Award nor under the Coal Mines Bonus Scheme is bonus payable out of profits.

29. I, therefore fail to see how there can be any objection to the workmen's claim for getting a higher amount of bonus proportionate to the increase in basic wages granted to them by the Bindra Award and the judgment of the Supreme Court, dated 15th February 1960.

30. I, therefore, hold that consequent upon the award of the Industrial Tribunal, Dhanbad, dated 14th February 1956 in Reference No. 11 of 1955 published by S.R.O. 655, dated 5th March 1956 in the Gazette of India the workmen are also entitled to proportionate increase in dearness allowance and bonus.

30A. The management has strenuously argued that it has not the financial capacity to meet this demand. It was urged at the hearing that in implementing the judgment of the Supreme Court and the Bindra Award the company had to pay its workmen as much as Rs. 80,000/- and the company estimated that if this demand were to be awarded and granted the same retrospective effect the financial burden on the company would be of the order of Rs. 1,00,000/- (Rupees one lakh) more. The company has next urged that the increase in the selling price of coal which the Korea State Government had granted it consequent upon the Korea Notification of 15th November 1947 had lasted only for a few months after which the increase granted in the selling price was reduced substantially. It was further urged that the Coal Price Revision Committee in para 46 of its report had considered a profit of Rs. 1.75 nP. per ton as reasonable profit. The company has urged that it should be held that the company was not making during this entire period a profit of more than Rs. 1.75 nP. per ton of coal. But there is no evidence led by the company to warrant my drawing any such conclusion. Besides, as pointed out by Shri Gulab Gupta this company's coal is special grade coal for which higher the selling price is available. The company has further urged that the fact that it was granting foodgrain concessions to its workmen which was valued at 0-8-0 annas per day (Ex. E-8) should be taken into account. But this was the general practice in all collieries and coalfields till the Majumdar Award did away with this practice, after fixing a monetary value of the foodgrain concession, in fixing the basic wages.

31. After an anxious consideration of the submissions by both parties I am satisfied that the workmen should get the proportionate increase in dearness allowance and bonus on the increase in basic wages granted by the Bindra Award—Award of the Dhanbad Tribunal in Reference No. 11 of 1955 as follows:—

In case of the workmen not drawing basic wage more than Rs. 30 per month as on 1st November 1947, the proportionate increase in dearness allowance and bonus should be paid from 1st November 1947.

In case of the workmen drawing basic wage more than Rs. 30 per mensem as on 1st November 1947, the proportionate increase in dearness allowance and bonus should be paid with effect from 27th September 1952.

In other words, I have granted retrospective effect to the proportionate increase in dearness allowance and bonus from the same dates from which proportionate increase in basic wage was granted by the Award in Reference No. 11 of 1955, as confirmed by the Hon'ble Supreme Court's decision dated 15th February 1960 (1960 II LLJ p. 71). In this connection, the union has relied upon the decision of the Hon'ble Supreme Court in the case of another colliery from the Korea Coalfield *vs.* The United Collieries Ltd. (1961 II LLJ page 75), where it was held on the documents filed by the parties before the Hon'ble Supreme Court that a demand for full implementation of the Korea Award including Para (2) thereof, was made as far back in February 1949. Their Lordships in that case (page 77) observed:—

"We are, however, satisfied on the documents filed before us by the parties that the question of the full implementation of the Korea Award, including clause (2) was raised in February 1949 before the Conciliation Officer although it may be that no actual demand in writing was sent to the appellant in that behalf till much later. It is, however, clear that the demand was made from all collieries covered by the Korea Award (including the appellants) sometime in February 1949".

Their Lordships after referring to their decision of 15th February 1960 in the case of this company [Jhagrakhand Collieries (P) Ltd. (1960 II. LLJ. p. 71)] *supra*, had granted the retrospective effect in the United Collieries Ltd's case from 1st November 1947 to those workmen drawing basic wage below Rs. 30 as on 1st November 1947, and from 1st March 1949 to all workmen drawing basic pay above Rs. 30 per month as on 1st November 1947, because they were satisfied from the documentary evidence on record that the demand was made from all collieries of the Korea Coalfield covered by the Korea Award (which would also include those three collieries) sometime in February 1949. This completely meets the objection urged by Shri Masood that the Supreme Court by its judgment dated 15th February 1960 had confirmed the dates from which retrospective effect granted by the Bindra Tribunal because the company had not filed any appeal against the Tribunal's award. It is clear that in the case of the United Collieries' case in respect of a demand covering clause (2) of the Korea Award, the Supreme Court had fixed a retrospective date even earlier than 27th September 1952.

32. I further direct that the benefit of this award shall also be granted to those who joined these collieries after 1st November 1947.

33. I further direct that the dues of the workmen under this award should be paid to them within one month of the date this award becomes enforceable.

34. As the workmen have succeeded, I direct that the Company shall pay the Chhattisgarh Colliery Workers' Federation Rs. 200 as costs. I may here state that the General Secretary of the Azad Koyla Shramik Sabha, Jhagrakhand Colliery had made an application bearing no date but which was received by the Tribunal's office on 4th April 1962, by which it had applied for an adjournment of the hearing fixed for 9th April but which was not granted and on the date of hearing no one appeared in support of the application for adjournment and thereafter nothing further was heard from this Union which had not filed any written statement of claim or taken any other steps to prosecute this reference beyond filing the application for adjournment.

Sd./- SALIM M. MERCHANT, -

Presiding Officer,

Central Government Industrial Tribunal, Dhanbad.

[No. 4/38/61-LRII.]

New Delhi, the 1st July 1962

S.O. 2092.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the Singareni Collieries Co. Ltd. and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-28 of 1961

PARTIES:

Employers in relation to the Singareni Collieries Company Limited,

AND

Their Workmen.

PRESENT:

Shri Salim M. Merchant, B.A., LL.B., Presiding Officer.

APPEARANCES:

For the employers:

Shri D. Narsingh, Advocate, with

Shri N. Bhaskarachary, Personnel Manager of the Company.

For the workmen:

Shri D. S. Nargolkar, Advocate, with

Shri M. Komaraiah, General Secretary, Singareni Collieries Workers' Union.

Shri R. M. Shukla and Shri S. K. Srinivasan, General Secretary, for the Singareni Collieries Mazdoor Sangh.

Shri D. H. Buch, Advocate, with Shri S. Narayan Reddy, General Secretary, Andhra Pradesh Colliery Mazdoor Sangh.

STATE: Andhra Pradesh.

INDUSTRY: Coal Mines.

Bombay, dated 18th June 1962

AWARD

The Central Government by the Ministry of Labour and Employment's Order No. 1/97/60-LRII, dated 8th August 1961, made in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, was pleased to refer the industrial dispute between the parties above-named in respect of the subject matter specified in the following schedule to the said order to me for adjudication:—

SCHEDULE

'Whether the action of the management of the Singareni Collieries Company Limited, Kothagudium, in having reduced the number of paid holidays of the workmen of the medical and sanitary departments of the Company from 23½ to 10 from 1st July 1957 was justified and if not, to what relief the employees are entitled?

2. After the parties had filed their written statements the hearing of the dispute was fixed on 11th June 1962 at Bombay when the parties commenced their negotiations for a settlement and at the adjourned hearing on 16th June 1962 the representatives of the parties filed a joint application recording the terms of settlement reached between them and praying that an award be made in terms thereof. A copy of the joint application of the parties is annexed hereto and marked annexeure 'A'. The terms of settlement have been signed by the Advocates and representatives of the three unions on behalf of the workmen and on behalf of the employers by their Advocate and the Personnel Manager. I am satisfied that in the facts and circumstances of the case as stated in the parties' written statements, the terms of settlement are fair and reasonable and I, therefore, make an award in terms of the joint application of the parties, dated 16th June 1962 (annexure 'A') which shall form part of this Award.

3. The representatives of the workmen have applied for costs on which I have heard their submissions. The representatives of the company have opposed any provision for costs. But in my opinion considering that the settlement has resulted in substantial benefit being granted to the workmen they must be held to have partially succeeded in this dispute and a provision for costs in favour of the three unions on record appears to be fair and reasonable. I therefore direct that the management shall pay to the three unions on record Rs. 300/- each as costs and this payment should be made to them within a month of the publication of this Award.

Sd./- SALIM M. MERCHANT,

Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-28 of 1961

BETWEEN

M/s. Singareni Collieries Co. Ltd.,

AND

Their Workmen.

Without prejudice to the respective contentions of the parties as submitted in their statements before this Hon'ble Tribunal, all the parties further submit as follows:—

1. The dispute referred to this Hon'ble Tribunal for adjudication has been amicably settled between all the parties on terms hereinafter stated:

- (a) The settlement applies only to the workmen of the medical and sanitary department employed at Kothagudium by the said employers, hereinafter referred to as the Company.
- (b) As the parties are agreed that at Bellampalli and Yellandu the practice of granting 23½ festival holidays had not existed, this settlement will not apply to the workmen of the medical and sanitary departments of those places.
- (c) Besides the 10 holidays which the monthly paid workmen covered by this settlement enjoy at present including 7 paid festival holidays provided in the Award of the All India Industrial Tribunal (Colliery Disputes) hereinafter referred to as the Coal Award, the workmen covered by this settlement will enjoy eight more holidays per year.
- (d) The conditions governing the grant of 7 days' holidays provided in the Coal Award shall continue as before.
- (e) The remaining 11 holidays shall be granted to the workmen covered by the settlement on terms hereinafter specified.
- (f) Monthly paid workmen covered by this settlement shall not normally be called upon to work for half a day on any of the said eleven holidays. In the case of an emergency, however, the Company may call them for work for the period of emergency subject to the proviso that if they are detained for less than 4 (four) hours they will be paid half days extra wages and full days extra wages if they are detained for more than four hours.
- (g) Daily rated workmen of the sanitary department will work for 5 (five) hours on the said 11 (eleven) days and shall be paid full day's wages as at present. When, however, a Daily rated workman is asked to work for full 8 (eight) hours on any such day, he shall be paid half a day's extra wages for that day.
- (h) Daily rated workmen of the hospital will work for full eight hours on such days and shall be paid half a day's extra wages for those days.
- (i) Monthly paid workmen who are asked to work full shift on such days shall be paid one day's extra wages for those days.
- (j) Monthly paid staff who are not called upon to work on such days shall be paid their normal wages for such days.
- (k) The Company agrees to pay, *ex gratia*, to the workmen covered by this settlement, in respect of the additional eight holidays hereinafter specified since 1st January 1960 upto the date of the settlement excepting such holidays as fell on Sundays which are weekly rest days on the following basis:—
 1. Full day's wages to Monthly rated workmen; and
 2. Half day's wages to Daily rated workmen.
- (1) The eight holidays referred to in the preceding clause shall be as follows:—
 1. Shabe-Barat.
 2. Ramazan.
 3. Ugadi.
 4. Sri Ramanavami.
 5. Bakrid.
 6. Gokul Ashtami.
 7. Ganesh Chaturthi.
 8. X'mas.
- (m) The present practice about the May Day in respect of the Sanitary Department at Kothagudium shall continue.
- (n) The workmen have no other claim arising out of the present reference.
- (o) The amounts due to the workmen as aforesaid shall be paid in one instalment within a month from the date of this settlement.

2. The parties respectfully pray that this Hon'ble Tribunal may be graciously pleased to give an award on terms aforesaid.

And for this, the parties shall, as in duty bound, ever pray.

BOMBAY;

The 16th June, 1962.

1. D. H. BUCH,
Advocate,
for A.P.C.M. Sangh.

1. D. NARSINGH,
Advocate.

2. S. NARAYAN REDDY,
President,
A.P.C.M. Sangh.

2. N. BHASKARACHARY,
Personnel Manager.

For Employers.

Bombay, the 16th June, 1962.

3. D. S. NARGOLKAR,
Advocate,
for S.C.W. Union.

4. M. KOMARIAH,
General Secretary,
S.C.W. Union.

5. S. K. SRINIVASAN,
General Secretary,
S.C.M. Sangh.

For Workmen.

Bombay, the 16th June, 1962.

Taken on file:

Sd./- SALIM M. MERCHANT,

Presiding Officer,
Central Government Industrial Tribunal,
Bombay.

BOMBAY;
The 16th June, 1962.

[No. 1/97/60-LRII.]

ORDERS

New Delhi, the 28th June, 1962

S.O. 2093.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Khas Joyrampur Colliery, Post Office Khas Jeenagora, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Khas Joyrampur Colliery, Post Office Khas Jeenagora, District Dhanbad were justified in stopping Shri Amin Khan, Dresser from work from the 20th April, 1962. If not, to what relief is he entitled?

[No. 2/38/62-LRII.]

New Delhi, the 29th June 1962

S.O. 2094.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Inganijharan Mines of Sri M. S. Deb and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal, with Shri I. C. Mishra, M.A., B.L., as the Presiding Officer thereof, with headquarters at Bhubaneswar, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

(1) Whether the action of the management in discharging the following workmen was justified?

1. Shri Biranchi Naik.
2. Shri Anam Patro.
3. Shri Krishna Tantl.
4. Shri Bagun Bodra.
5. Shri Kailash Patro.
6. Shri Ganga Munda.
7. Shri Bidu Patra.
8. Shri Ranjit Giri.
9. Smt. Jema Dal.

(2) If not, to what relief the said workmen are entitled?

[No. 21/4/62-LRII.]

S.O. 2095.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to Messrs. Associated Cement Companies Limited and their workmen employed in the Kymore Limestone Quarries in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the classification and fitment of the workmen named below, employed in the Kymore Limestone Quarries of Messrs. Associated Cement Companies Ltd., in their respective grades are proper in terms of their respective occupations and norms laid down in the Report of the Central Wage Board for the Cement Industry, 1959; if not, in what other grades each such workman should be classified and fitted and from what date:—

Sl. No.	Name	Designation
1	Ramsaran	Shotfirer
2	Ranglal	"
3	Dava	G. P. Maker
4	Ramkrishnan	Blasting Mistry
5	Bhagwandass	"
6	Shankerrao	"
7	Suleman Khan	Points man
8	Jagjahir	"
9	Ramsaran	"
10	Bisram	"
11	Sugrim	"
12	Kodu	"
13	Mangna	"

Sl. No.	Name	Designation
14	Daddi	Pointsman
15	Baula	"
16	Bhagwath	"
17	Samna	"
18	Banirkhan	"
19	Ahibarin	"
20	Shanker	"
21	Hardasi	"
22	Chhota	"
23	Gorelal	M. L. Driver
24	Munnalal	Carpenter
25	Barma Pradhan	Welder
26	Ramchabali	Mate
27	Gulab bux	Rly. Mate
28	Kishorilal	Chaprasai
29	Bisram	"
30	Rampratap	"
31	Bondu	"
32	Munda	Store Issuer
33	Miru	"
34	Babulal	"
35	Semon	"
36	Ramkishore	"
37	Shanker Singh	Machinery Attendants
38	Syamlal	"
39	Daddi	"
40	Auseri	"
41	Mangal	"
42	Dinbandhu	"
43	Stepan	"
44	Gaffar Khan	"
45	Sukhnandi	"
46	Akali	"
47	Biseswar	"
48	Athaiya	"
49	Mithallal	"
50	Putta	"
51	Bhola	"
52	Imamkhan	"
53	Baddi	"
54	Budha	Quarry Driller
55	Jiwan	"
56	Bare	"
57	Gajraj Singh	"
58	Ramsakha	"
59	Mannu Bhai	Asstt. Fitter
60	Gulsher	"
61	A. Haq	Fitter
62	D. P. Khare	"
63	G. P. Nair	Diesel Fitter
64	Ajim Khan	"
65	S. H. Basu	"
66	B. Majliker	"
67	R. S. Sharma	"
68	Rambisal	Tr. Q.H.E.B.H.D. Operator
69	Jageshwar	"
70	Badruddin	"
71	Durgashay	"
72	Nana Bhai	"
73	Mangal Singh	"
74	Ramshanker	Greaser
75	Mahabir	"
76	Bhagwath	"
77	Sarjoo	"
78	Jugga	"
79	Mahabir	"

Sl. No.	Name	Designation
80	Baisahu	Greaser
81	Lachu	"
82	Barclal	"
83	Punaua	"
84	Shamsunder	"
85	Umashanker	"
86	Bankelal	"
87	Pheran Singh	"
88	Ganesha	"
89	Gokul	"
90	Mukty	"
91	Ramdhani	"
92	Md. Ibrahim	"
93	Gajadhar	"
94	Munda	"
95	Ramsingh	"
96	Ramprasad	"
97	Prehalndi	"
98	Kundukhan	"
99	Itbari	"
100	Raja	"
101	Lalji	"
102	Chotelal	"
103	Bamri	"
104	Golalya	"
105	Khuman Singh	"
106	Badkoo	"
107	Chotekhan	"
108	Jaggi	"
109	Munda	"
110	Amrulla Khan	"
111	P. D. Thomas	"
112	Vishnu Prasad	"
113	Ramnarayan	Q.H.E. Operator
114	John Lincon	"
115	Badri Prasad	"
116	Dindayal	"
117	Gladwin	"
118	Nasir Khan	"
119	Ambika Prasad	"
120	Edward	"
121	Mukhtiyar Beg	"
122	Mouniddin	"
123	Babulal	"
124	Vithal Kumar	"
125	George	"
126	Mohd. Nazir	"
127	K. Narain	"
128	Bachanal	"
129	Ramgopal	"
130	Dukhu	Excavator Operator
131	Prabhu Bhai	"
132	Dost Mohammad	"
133	Rambisal	"
134	Rammitra	"
135	Mullooram	"
136	Sharda Prasad	"
137	Emanuel	"
138	Samuel David	"
139	Adina	"
140	Gayadin	Helper
141	Phaguna	"
142	Hiralal	"
143	Jiwan	"
144	Surejdin	"
145	Sukhdeo	"

S. No.	Name	Description
146	Ramsaran	Helper
147	Chaita	Watchman
148	Mahip	"
149	Dhanu	"
150	Jamuna Prasad	"
151	Badri Singh	"
152	Lakhan Prasad	Chowkidar
153	Shyamlal	"
154	Jagraj	"
155	Laxman	"

[No. 22/12/62-LR II]

S.O. 2096.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jogta Colliery, P.O. Sijua (Dhanbad) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

1. Whether the management of the Jogta Colliery was competent under the terms of the employment, to offer alternative employment to the workmen named in the Table? If so, was the employment which was offered to the workmen suitable alternative employment?
2. What relief, if any, are the workmen entitled?

TABLE

1. Shri Sekho Singh.
2. Shri Dowarik Gope.
3. Shri Kamta Bhor.
4. Shri Baso Oron.
5. Shri Gajo Rajwar.
6. Shri Lohari Gope.
7. Shri Ramsaran Mahato.
8. Shri Gulam Bhula.
9. Shri Sitabai Bhuia.
10. Shri Kuber Bhor.
11. Shri Ramesher Mahto.
12. Shri Bipat Kairi.

[No. 2/54/62-LR II.]

New Delhi, the 30th June 1962

S.O. 2097.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Nowrozabad Colliery of A.C.C. Ltd., Nowrozabad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the management of Nowrozabad Colliery of M/s. A.C.C. Ltd. was justified in suspending Shri Jafarali, Washery Attendant, for ten days without wages with effect from the 23rd February, 1962; if not, to what relief the workman is entitled?

[No. 5/6/62-LRII.]

New Delhi, the 3rd July 1962

S.O. 2098.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Bisra Stone Lime Company Ltd., Birmitrapur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri I. C. Mishra, M.A., B.L., as the Presiding Officer, with Headquarters at Bhubaneshwar and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

(1) Whether the management of M/s. Bisra Stone Lime Company Ltd. is justified in not granting 2nd October as an additional paid holiday to its workmen?

(2) If not, to what relief the workers of M/s. Bisra Stone Lime Co. Ltd. are entitled?

[No. 22/14/62-LRII.]

A. L. HANDA, Under Secy.

New Delhi, the 28th June 1962

S.O. 2099.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Bombay in the industrial dispute between M/s N. S. Gazdar and Company (Private) Ltd., Bombay and their workmen.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

REFERENCE No. CGIT-3 of 1962

PARTIES:

Employers in relation to M/s N. S. Guzdar & Co. (Private) Ltd., Clearing & Forwarding Agents, Bombay.

AND

their workmen.

PRESENT:

Shri Salim M. Merchant, Presiding Officer.

Bombay, dated 16th June 1962

APPEARANCES:

For the employers:—Shri Maneck A. Gagrati, Advocate, with Shri J. N. Guzdar, Director of the Company.

For the workmen:—Shri Sachidanand Karkal, Advocate, with Shri S. R. Kulkarni, Secretary, Transport and Dock Workers' Union, and Shri B. Z. Dave, the workman concerned.

STATE: Maharashtra.

INDUSTRY: Ports and Docks (Clearing and Forwarding).

AWARD

The Government of India, by the Ministry of Labour and Employment's Order No. 28/2/62-LRIV dated 25th January 1962, upon a joint application of the parties dated 3rd January 1962, made in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), was pleased to

refer the industrial dispute between the parties above named to me for adjudication. The specific matter in dispute as stated in the joint application of the parties is as follows:—

"Shri B. Z. Dave be reinstated and/or paid adequate compensation."

2. After the parties had filed their respective written statements the dispute was taken up for hearing on 12th June 1962, and adjourned to 15th June 1962 for further hearing. At the hearing on 15th June 1962 the parties filed a joint application recording the terms of settlement reached between them and have prayed that an award be made in terms thereof. The terms of settlement have been signed on behalf of the employers by Shri J. N. Guzdar, Director of the employer company and Shri M. A. Gagrath, Advocate, and on behalf of the workmen by Shri S. R. Kulkarni, Secretary, Transport and Dock Workers' Union, Bombay, the workman concerned viz., Shri B. Z. Dave and Shri Sachidanand Karkal, Advocate for the union.

3. As I consider the terms of settlement to be fair and reasonable and bearing in mind that this is a reference under section 10(2) of the Act, I make an award in terms of the joint application recording the terms of settlement reached between the parties which is annexed hereto as annexure 'A' and which shall form part of this award.

No order as to costs.

Sd./- SALIM M. MERCHANT,
Presiding Officer,

Central Government Industrial Tribunal, Bombay.

ANNEXURE 'A'

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY

REFERENCE No. CGIT-3 OF 1962

PARTIES:

Employers in relation to Messrs N. S. Guzdar & Co. (Private) Ltd., Clearing & Forwarding Agents, Bombay

AND

their workmen represented by the Transport and Dock Workers' Union, Bombay.

May it please the Tribunal,

We, the parties to this dispute, have arrived at the following settlement and pray that an award be made in terms thereof:—

1. Parties are agreed that Shri B. Z. Dave will be reinstated in service in his former post of dock clerk with half back wages from 1st May 1961 to 30th June 1962. It is however agreed that Shri B. Z. Dave will tender his resignation from service with effect from 1st July 1962 and thereupon the management will make the following payments to him:—

- (1) Gratuity according to the company's scheme of gratuity, it being agreed that Shri Dave is eligible to payment of gratuity.
- (2) Provident fund dues including the employer's contribution and interest upto 30th June 1962.
- (3) *Ex-gratia* compensation amounting to Rs. 2,538/-.
- (4) Bonus for the year 1960-1961 not collected by Shri B. Z. Dave but which is due and payable to him.

Dated at Bombay this 15th day of June 1962

For the employers.

For N. S. Guzdar & Co. Pvt. Ltd.

J. N. GUZDAR

Director

15th June 1962

M. A. GAGRATH,

Advocate for the Company

15th June 1962

For the workmen.

S. R. KULKARNI,

Secretary

Transport and Dock Workers' Union Bombay.

B. Z. DAVE,

15th June 1962

S. KARKAL,

Advocate.

15th June 1962

Before me,

SALIM M. MERCHANT,

Bombay, 15th June 1962

[No. 28/2/62/LR.IV.]

P. R. NAYAR, Under Secy.

New Delhi, the 30th June 1962

S.O. 2100.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Patna, in the industrial dispute between the employers in relation to the Digwadh Colliery, Jamadoba, Post Office Jealgora and their workmen.

BEFORE SHRI H. K. CHAUDHURI, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, PATNA.

REFERENCE No. 84 OF 1961/10 OF 1962

Employers in relation to the Digwadh Colliery, Jamadoba, P.O. Jealgora.

AND

their workmen.

For the Management.—Shri S. N. Singh, Welfare Officer.

For the Workmen.—Shri Ratan Roy, General Secretary, Bihar State Committee, A.I.T.U.C.).

AWARD

Dated the 5th June, 1962

By Notification No. 2/107/61-LRII dated the 20th November, 1961 this industrial dispute between the employers in relation to the Digwadh Colliery and their workmen has been referred to this Tribunal for adjudication under clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act. The specific matter in dispute is as follows:—

“Was the management justified in terminating the services of the workmen whose names are mentioned below. If not, to what relief are they entitled?

1. Shri Jahiruddin,
2. Shri Ramsarup,
3. Shri Kapleshwar Lall,
4. Shri Ramdin Pande,
5. Shri Ramaudh Upadhyaya,
6. Shri Bijoy Upadhyaya.

Out of these six workmen, three, namely, Jahiruddin, Ramdin Pandey and Ramaudh Upadhyaya have since been given employment by the management and their cases have not been pressed by the union. We are, therefore, concerned with the cases of the remaining three workmen only in this case. It is undisputed that Ramsarup was appointed on 10th May 1958, Kapleshwar Lall on 7th April 1958, and Bijoy Upadhyaya on 14th February 1957. It is not also in controversy that these workmen were appointed as Badli workers against substitute/temporary vacancies and that they worked as such in different vacancies as and when such jobs were available and their services were required until their services were terminated on 9th January, 1961. The union's case is that these workmen were no doubt appointed as temporary mazdoors by the management but in course of their respective service periods they fulfilled all conditions entitling them to be permanent employees of the company as per the Standing Orders as they all worked in permanent posts for more than 3 months. The union's grievance is that the management terminated the services of these workmen without any notice and in violation of Section 25F and 25G of the Industrial Disputes Act and clause 13 of the Company's Standing Orders. It, therefore, prays that all these workmen should be reinstated with full back wages.

2. The case of the management is that the workmen in question who were mere substitute workers never having worked continuously in a permanent vacancy were not entitled to claim the status of permanent workmen under the Standing Orders. It is submitted that later on there was a settlement in which it was agreed that the Badli workers, who had worked continuously for a period of 3 months in the same permanent vacancy, could be confirmed in those vacancies and that a workman would be deemed to be in continuous service for three months in a permanent post if he was not absent for more than 3 days during this period. The contention of the management is that the cases of the workmen in the present case are not governed by this agreement either. It is stated that no substitute/temporary jobs being available for these workmen their services were terminated on the 9th January 1961. It was finally contended that it was not a case of

retrenchment and as such the question of violation of sections 25F and 25G did not arise.

3. The plea of the union that they acquired the status of permanent workmen either by virtue of the agreement referred to above or under the provisions of the Standing Orders was not pressed at the hearing. In fact no evidence was adduced by the workmen to show that the conditions laid down in the Standing Order or in the agreement were fulfilled by them. This plea, therefore, fails.

4. The substantial question for determination, however, is whether the management in retrenching these workmen violated the provisions of Section 25F of the Industrial Disputes Act. This section provides as follows:

"No workman employed in any industry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—

(a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice, wages for the period of the notice:

Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service;

(b) the workman has been paid, at the time of retrenchment, compensation which shall be equivalent to fifteen days' average pay for every completed year of service or any part thereof in excess of six months; and

(c) notice in the prescribed manner is served on the appropriate Government."

It is undisputed that no notice as required by the aforesaid section was given to the workmen nor any wages paid in lieu of the notice. Neither was any retrenchment compensation paid to them. Now, for the application of Section 25F it is necessary for a workman to prove

(a) that it is a case of retrenchment and that

(b) he has been in continuous service for not less than one year.

That it is a case of retrenchment admits of no doubt. Retrenchment has been defined in Section 2(cc) of the Industrial Disputes Act. The definition is as follows:

"Retrenchment" means the termination by the employer of the service of a workman for any reason whatsoever, otherwise than as a punishment inflicted by way of disciplinary action, but does not include—

(a) voluntary retirement of the workman; or

(b) retirement of the workman on reaching the age of superannuation if the contract of employment between the employer and the workman concerned contains a stipulation in that behalf; or

(c) termination of the service of a workman on the ground of continued ill-health."

Undoubtedly the services of the workmen in question were terminated. It is also clear that the termination of their services was not as a punishment inflicted by way of disciplinary action. Sub-clauses (a), (b) and (c) which deal with voluntary retirement, retirement on reaching the age of superannuation and termination of service on the ground of continued ill-health, do not apply to the present case. I am, therefore, satisfied that the termination of the services of these workmen comes within the definition of the word "retrenchment".

5. As to the nature of service which will entitle a workman to the benefits of Section 25F we have to go back to Section 25B which provides as follows:—

"For the purposes of sections 25C and 25F, a workman who, during a period of twelve calendar months, has actually worked in an industry for not less than two hundred and forty days shall be deemed to have completed one year of continuous service in the industry."

The important conditions under Section 25B are: (a) the service must have continued during a period of 12 calendar months, and (b) the aggregate of actual

work must have been not less than 240 days. The statement Ext. A shows that the periods of service of the 3 workmen were as follows:

	1958	1959	1960	Calendar 12 month each
Ramsarup	184½	285	282	
Kapilchshwar Lall	Nil	149	236	
Bijoy Upadhyaya	191½	149	220	

Thus it is clear that Ramsarup alone worked for more than 240 days in 1959 and 1960. The cases of the other two workmen will not, therefore, be covered by Section 25. Ramsarup must, therefore, be deemed to have fulfilled the second condition. So far as the first condition is concerned the intention of the legislature clearly is that the service of 240 days and above should have been spread over 12 calendar months. A workman who has completed 240 days' service, say in eleven months, would not be entitled to the benefit of this section. This view receives support by a decision of the Industrial Tribunal, Bombay in the case of Alcock Ashdown & Co. Ltd., reported in 1956 I L. L. J. 634. The learned Tribunal observed as follows:—

"He must satisfy two conditions before he can claim the benefits afforded by Ss. 25C and 25F. The first condition is that he must have put in twelve calendar months' service with the company. The second condition is that during this service of twelve calendar months he must have actually worked for not less than 240 days. Unless he satisfies both these conditions, he cannot claim to have put in one year of continuous service within the meaning of S.25B. If a workman completes 240 days of actual work within, say, eleven months of service, he cannot be said to have actually worked for not less than 240 days during the period of 12 calendar months as laid down in the section."

The Tribunal also pointed out that if the intention of the legislature was to give the benefits of Sections 25C & 25F to a workman as soon as he had put in 240 days of actual work even before the period of 12 calendar months had expired, it would have said so clearly in the section. The following observations of the Tribunal are also important,

"The very expression one year of continuous service postulates one full year of service with the company. The section only prescribes the minimum number of days on which work must be done during this period. A similar view was taken by Sri Salim M. Merchant in the complaint (I.T.) No. 80 of 1954 in Reference (I.T.) No. 81 of 1953 (Bombay Government Gazette, Part I-L, dated 7th October, 1954, p. 2734)."

7. On behalf of the management it has been argued that for the purpose of Section 25F we must adopt the definition of "continuous service" as laid down in Section 2(eee) of the Industrial Disputes Act. This clause provides:

"Continuous service means uninterrupted service, and includes service which may be interrupted merely on account of sickness or authorized leave or an accident or a strike which is not illegal, or a lock-out or a cessation of work which is not due to any fault on the part of the workman."

In support of the view contended for by the management reliance is placed upon a decision of the Second Industrial Tribunal, West Bengal in the dispute between Messrs Presidency Jute Mills, P.O. Risra, District Hoogly and their workmen represented by Bengal Chatkal Mazdoor Union (*vide* Calcutta Gazette dated January 5, 1961). The learned Tribunal has held in this case that the definition of "continuous service" as in section 2(eee) will govern the words "continuous service in Section 25B and the first condition of continuous service in terms of that section must be fulfilled in order to entitle the workman to receive compensation under Section 25F. It has further observed that there is nothing in the language of Section 25B to suggest that "continuous service" for the number of days mentioned in that section was not necessary. With respect I am unable to agree with this view. The interpretation of S. 25B as made in the Bombay case appears to me to be more sound. There the learned Tribunal rightly pointed out that in order to enable a workman to claim the benefits of Sections 25C & 25F it was necessary for him to satisfy two conditions, namely, that he must have put in 12 calendar months' service with the company and that during this service of 12 calendar months he must have actually worked for not less than 240 days. As soon as these

two conditions are satisfied the case would come within the purview of Section 25F of the Industrial Disputes Act. In my opinion Section 25B clearly indicates that the requirement of one year's "continuous service" would be deemed to be satisfied as soon as a workman has worked for 240 days during a period of 12 calendar months. If it was the intention of the legislature that for purpose of "continuous service" under Section 25F the definition of Section 2(eee) was to prevail it would have been unnecessary to lay down in Section 25B as to what was to be deemed as "continuous service". This definition of continuous service in Section 25B is for the special purposes of Sections 25C & 25F. When the same words or phrases are used in different parts of the same statute they would ordinarily receive the same meaning unless the context or object requires otherwise. From the context there is in this case sufficient reason to construe the "continuous service" in a sense different from that which they bear in Section 2(eee). The mention of 12 calendar months has, I think, considerable significance. This condition is germane only to the question of continuity and not to the aggregate days of service. My finding, therefore, is that the present case falls within the purview of Section 25F and that workman Ramsarup not having been served with a notice or paid retrenchment compensation the management is guilty of violation of that section. The Supreme Court has laid down in 1960 I L.L.J. 251 that a retrenchment cannot be held to be valid till the compensation is paid. All conditions laid down in the section must have been complied with as a prerequisite. In the result I hold that the management was not justified in termination of the services of Ramsarup. I direct that this workman be reinstated with full back wages. The parties will bear their own costs.

8. So far as the other two workmen Kapileshwar Lall and Bijoy Upadhyaya are concerned they are not entitled to the benefits of Section 25F. It must be held that the termination of their services was justified and they are not entitled to any relief.

9. I give my award accordingly.

Sd./- H. K. CHAUDHURI,
Presiding Officer,
5-6-62.
Industrial Tribunal, Patna,

Recorded at my dictation
and corrected by me.

H. K. CHAUDHURI,
P.O., I.T., Patna,
5-6-62.

[No. 2/107/61-LRII.]
B. R. SETH, Dy. Secy.

New Delhi, the 30th June 1962

S.O. 2101.—In pursuance of sub-clause (9) of clause 42 of the Madras Dock Workers (Regulation of Employment) Scheme, 1956, the Central Government hereby makes the following amendments in the piece rates scheme, which was brought into force by the Madras Dock Labour Board with effect from the 1st March, 1958 in pursuance of the notification of the Government of India in the Ministry of Labour and Employment, No. S.O. 109, dated 14th February, 1958, namely:—

- "1. This scheme may be called the Madras Dock Workers piece rates (Amendment) Scheme, 1962.
2. In appendix 'A' of the piece rates scheme evolved by the Committee presided over by Shri Jeejeebhoy under the heading "Exports", after Serial No. 18, the following entries shall be inserted under the respective headings mentioned in the Table.

TABLE

S. No.	Datum Lines	Datum tonnage for 8 hour shift	Datum tonnage for 6½ hour shift
19	Sugar in bulk	85	69"

[No. 524(16)/62-Fac.]

R. C. SAKSENA, Under Secy.

New Delhi, the 29th June 1962

S.O. 2102.—In pursuance of clause (e) of sub-paragraph (1) of paragraph 4 of the Employees' Provident Funds Scheme, 1952 read with the notifications of the Government of India in the Ministry of Labour and Employment, No. S.O. 1179, dated the 17th April, 1962, the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2427, dated the 8th November, 1958, relating to the Regional Committee for the State of Madhya Pradesh, namely:—

"After entry 9 of the said notification, the following entry shall be inserted, namely:—

- | | |
|---|---|
| (10) Shri Ramsinghbhai Verma,
Vice-President,
Indian National Trade
Union Congress,
Shram Sivr, Indore. | Non-official member of the Central
Board ordinarily resident in the
State". |
|---|---|

[No. 10/7/61-PF.II.]

New Delhi, the 30th June 1962

S.O. 2103/PWA/Mines Rules/Am.—The following draft of a further amendment to the Payment of Wages (Mines) Rules, 1956, which the Central Government proposes to make in exercise of the powers conferred by sub-sections (2), (3) and (4) of section 26, read with section 24, of the Payment of Wages Act, 1936 (4 of 1936), is published as required by sub-section (5) of section 26 of the said Act for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 10th October, 1962.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified will be considered by the Central Government. Such objection or suggestion may be addressed to "The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi."

Draft Amendment

1. These rules may be called the Payment of Wages (Mines) Amendment Rules, 1962.

2. In sub-rule (2) of Rule 8 of the Payment of Wages (Mines) Rules, 1956, after the words "such notices" the words "whether displayed or not" shall be inserted.

[No. 535/16/61-Fac.]

P. D. GAIHA, Under Secy.

New Delhi, the 29th June 1962

S.O. 2104.—In exercise of the powers conferred by section 73-F of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following corrections in the Notification of the Government of India in the Ministry of Labour and Employment No. S.O. 2665, dated the 2nd November, 1961, namely:—

Corrigenda

"In Schedule IV to the said notification, in column 5—

- (i) against serial No. 7,
 for the entry "M/s. Kunjilal Kisan Gopal Sawans",
 read "M/s. Kunjilal Kisan Gopal Sawana",
- (ii) against serial No. 9,
 (a) for the entry "M/s. Sivanarayan Kishenlal Oil Mills",
 read "M/s. Sivanarayan Kisanlal Oil Mills",
 (b) for the entries,
 "(1) M/s. Erandol Taluka Gram Udyog" and
 "(2) M/s. Utpadak Sahakari Society",
 read "M/s. Erandol Taluka Gram Udyog Utpadak Sahakari Society",

- (iii) against serial No. 14,
for the entry "M/s. Padke Industrial Works",
read "M/s. Phadke Industrial Works",
- (iv) against serial No. 19,
for the entry "M/s. Sree Kanti Textiles",
read "M/s. Shreekant Textiles",
- (v) against serial No. 23,
for the entry "M/s. Sree Krishan Oil Mills",
read "M/s. Shri Krishna Oil Mills".

[No. F. HI-6(141)/59.]

BALWANT SINGH, Under Secy.